

WAC 388-825-335 Is a background check required of a long-term care worker employed by a home care agency licensed by the department of health? (1) In order to be a long-term care worker employed by a home care agency, a person must:

(a) Complete the required DSHS form online authorizing a background check;

(b) Disclose any disqualifying criminal convictions and pending charges as listed in chapter 388-113 WAC, and also disclose civil adjudication proceedings and negative actions as those terms are defined in WAC 388-113-0030;

(c) Be screened through a Washington state name and date of birth background check (Preliminary results may require a thumb print for identification purposes); and

(d) Be screened through a Washington state and national fingerprint-based background check as required by RCW 74.39A.056.

(2) Results of background checks are provided to the department and the employer or potential employer for the purpose of determining whether the person:

(a) Is disqualified based on a disqualifying criminal conviction or a pending charge for a disqualifying crime under WAC 388-113-0020, civil adjudication proceeding or negative action under WAC 388-113-0030; or

(b) Should or should not be employed based on his or her character, competence, or suitability.

(3) For an applicant or service provider listed in RCW 43.43.837(1), a national fingerprint-based background check is required if the person lived out of the state of Washington in the past 36 months or is a new hire.

(4) The department may require a long-term care worker to have a Washington state name and date of birth background check if information is disclosed or found regarding a new:

(a) Pending charge;

(b) Conviction; or

(c) Negative action.

[Statutory Authority: RCW 71A.12.030, 43.43.837, and 74.39A.056. WSR 24-15-041, § 388-825-335, filed 7/11/24, effective 8/11/24. Statutory Authority: RCW 71A.12.030, 71A.12.120, 43.43.842, 74.39A.056, 43.20A.710. WSR 14-14-029, § 388-825-335, filed 6/24/14, effective 7/25/14. Statutory Authority: RCW 71A.12.030, 71A.12.120. WSR 05-17-135, § 388-825-335, filed 8/19/05, effective 9/19/05.]