

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2055

52nd Legislature  
1992 Regular Session

Passed by the House March 7, 1992  
Yeas 93 Nays 3

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**Speaker of the  
House of Representatives**

Passed by the Senate March 4, 1992  
Yeas 34 Nays 12

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 2055 as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2055**

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AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

**State of Washington                      52nd Legislature                      1992 Regular Session**

**By** House Committee on Health Care (originally sponsored by Representative Braddock)

Read first time 02/07/92.

1            AN ACT Relating to criminal history background checks; and amending  
2 RCW 43.43.842.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 43.43.842 and 1989 c 334 s 11 are each amended to read  
5 as follows:

6            (1) The secretary of social and health services and the secretary  
7 of health shall adopt additional requirements for the licensure or  
8 relicensure of agencies or facilities which provide care and treatment  
9 to vulnerable adults. These additional requirements shall ensure that  
10 any person associated with a licensed agency or facility having direct  
11 contact with a vulnerable adult shall not have been: ~~((1))~~ (a)  
12 Convicted of a crime against persons as defined in RCW 43.43.830,  
13 except as provided in this section; ~~((2))~~ (b) convicted of crimes  
14 relating to financial exploitation ~~((of a vulnerable adult))~~ as defined

1 in RCW 43.43.830, except as provided in this section; (~~(3)~~) (c) found  
2 in any disciplinary board final decision to have abused a vulnerable  
3 adult under RCW 43.43.830; or (~~(4)~~) (d) the subject in a protective  
4 proceeding under chapter 74.34 RCW.

5 (2) The rules adopted under this section shall permit the licensee  
6 to consider the criminal history of an applicant for employment in a  
7 licensed facility when the applicant has one or more convictions for a  
8 past offense and:

9 (a) The offense was simple assault, assault in the fourth degree,  
10 or the same offense as it may be renamed, and three or more years have  
11 passed between the most recent conviction and the date of application  
12 for employment;

13 (b) The offense was prostitution, or the same offense as it may be  
14 renamed, and three or more years have passed between the most recent  
15 conviction and the date of application for employment;

16 (c) The offense was theft in the third degree, or the same offense  
17 as it may be renamed, and three or more years have passed between the  
18 most recent conviction and the date of application for employment;

19 (d) The offense was theft in the second degree, or the same offense  
20 as it may be renamed, and five or more years have passed between the  
21 most recent conviction and the date of application for employment;

22 (e) The offense was forgery, or the same offense as it may be  
23 renamed, and five or more years have passed between the most recent  
24 conviction and the date of application for employment.

25 The offenses set forth in (a) through (e) of this subsection do not  
26 automatically disqualify an applicant from employment by a licensee.  
27 Nothing in this section may be construed to require the employment of  
28 any person against a licensee's judgment.

29 In consultation with law enforcement personnel, the secretary of  
30 social and health services and the secretary of health shall

1 investigate the conviction record and the protection proceeding record  
2 information under chapter 43.43 RCW of each agency or facility and its  
3 staff under their respective jurisdictions seeking licensure or  
4 relicensure. The ((~~secretary~~)) secretaries shall use the information  
5 solely for the purpose of determining eligibility for licensure or  
6 relicensure. Criminal justice agencies shall provide the ((~~secretary~~))  
7 secretaries such information as they may have and that the  
8 ((~~secretary~~)) secretaries may require for such purpose.