

SHB 2431 - S COMM AMD

By Committee on Health & Long-Term Care

ADOPTED 03/02/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. 2005 c 452 s 1 (uncodified) is reenacted and amended to
4 read as follows:

5 (1) A joint task force on criminal background check processes is
6 established. The joint task force shall consist of the following
7 members:

8 (a) One member from each of the two largest caucuses of the senate,
9 appointed by the president of the senate;

10 (b) One member from each of the two largest caucuses of the house
11 of representatives, appointed by the speaker of the house of
12 representatives;

13 (c) The chief of the Washington state patrol, or the chief's
14 designee;

15 (d) The secretary of the department of social and health services,
16 or the secretary's designee;

17 (e) The secretary of the department of health, or the secretary's
18 designee;

19 (f) The state superintendent of public instruction, or the
20 superintendent's designee;

21 (~~(f)~~) (g) An elected sheriff or police chief, selected by the
22 Washington association of sheriffs and police chiefs; and

23 (~~(g)~~) (h) The following (~~eleven~~) twelve members, jointly
24 appointed by the speaker of the house of representatives and the
25 president of the senate:

26 (i) A representative from a nonprofit service organization that
27 serves primarily children under sixteen years of age;

28 (ii) A health care provider as defined in RCW 7.70.020;

29 (iii) A representative from a business or organization that
30 primarily serves persons with a developmental disability;

- 1 (iv) A representative from a local youth athletic association;
- 2 (v) A representative from the insurance industry;
- 3 (vi) A representative of the Washington association of criminal
- 4 defense lawyers;
- 5 (vii) Two representatives from a local parks and recreation
- 6 program; one member shall be selected by the association of Washington
- 7 cities and one member shall be selected by the Washington association
- 8 of counties;
- 9 ~~((vii))~~ (viii) A representative from a for-profit entity that
- 10 primarily serves children;
- 11 ~~((viii))~~ (ix) A representative from a business or organization
- 12 that primarily serves vulnerable adults;
- 13 ~~((ix))~~ (x) A representative selected by the state's long-term
- 14 care ombudsman; and
- 15 ~~((x))~~ (xi) As a nonvoting ex officio member, a representative of
- 16 an organization that serves as a clearinghouse for other nonprofit
- 17 organizations in the state and that recruits volunteers and trains
- 18 nonprofit boards of directors.
- 19 (2) The task force shall choose two cochairs from among its
- 20 membership.
- 21 (3) The task force shall review and make recommendations to the
- 22 legislature and the governor regarding criminal background check policy
- 23 in Washington state. In preparing the recommendations, the committee
- 24 shall, at a minimum, review the following issues:
- 25 (a) What state and federal statutes require regarding criminal
- 26 background checks, and determine whether any changes should be made;
- 27 (b) What criminal offenses are currently reportable through the
- 28 criminal background check program, and determine whether any changes
- 29 should be made;
- 30 (c) What information is available through the Washington state
- 31 patrol and the federal bureau of investigation criminal background
- 32 check systems, and determine whether any changes should be made;
- 33 (d) What are the best practices among organizations for obtaining
- 34 criminal background checks on their employees and volunteers;
- 35 (e) What is the feasibility and costs for businesses and
- 36 organizations to do periodic background checks;
- 37 (f) What is the feasibility of requiring all businesses and
- 38 organizations, including nonprofit entities, to conduct criminal

1 background checks for all employees, contractors, agents, and
2 volunteers who have regularly scheduled supervised or unsupervised
3 access to children, persons with a developmental disability, or
4 vulnerable adults;

5 (g) What is the feasibility of establishing a state registration
6 program for private youth sports coaches under which some or all of
7 such persons are required to obtain and disclose to prospective clients
8 and employers a copy of the results of their fingerprint-based criminal
9 background checks;

10 (h) What is the feasibility of requiring the department of health
11 to conduct background checks on all applicants for initial licenses to
12 practice a health profession;

13 (i) What is the feasibility of requiring the department of health
14 to review federal health care provider data banks for any actions taken
15 against health care providers licensed in Washington;

16 (j) A review of the practices of the department of social and
17 health services with respect to checking the backgrounds of its
18 employees, applicants for employment, and candidates for promotion; and

19 ((+i)) (k) A review of the benefits and obstacles of implementing
20 a criminal history record information background check program created
21 by the national child protection act of 1993. The national child
22 protection act of 1993 increases the availability of criminal history
23 record information background checks for employers who have employees
24 or volunteers who work with children, elderly persons, or persons with
25 disabilities.

26 (4) The task force, where feasible, may consult with individuals
27 from the public and private sector.

28 (5) The task force shall use legislative facilities and staff from
29 senate committee services and the house office of program research.

30 (6) The task force shall report its findings and recommendations to
31 the legislature by December 31, ((2005)) 2006.

32 NEW SECTION. **Sec. 2.** This act expires January 31, 2007."

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1 On page 1, line 1 of the title, after "checks;" strike the
2 remainder of the title and insert "reenacting and amending 2005 c 452
3 s 1 (uncodified); and providing an expiration date."

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