

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5261

Chapter 210, Laws of 1993

53rd Legislature
1993 Regular Session

BACKGROUND CHECKS ON STATE-PAID PROVIDERS OF IN-HOME SERVICES

EFFECTIVE DATE: 7/25/93

Passed by the Senate April 17, 1993
YEAS 39 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 13, 1993
YEAS 98 NAYS 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved May 6, 1993

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5261** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

May 6, 1993 - 1:28 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5261

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senate Committee on Health & Human Services (originally sponsored by Senators Fraser, Deccio and Talmadge)

Read first time 02/09/93.

1 AN ACT Relating to state background checks on persons providing
2 services to physically disabled or mentally impaired persons; amending
3 RCW 43.20A.710; and creating a new section.

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

5 **Sec. 1.** RCW 43.20A.710 and 1989 c 334 s 13 are each amended to
6 read as follows:

7 The secretary shall investigate the conviction records, pending
8 charges or disciplinary board final decisions of: (1) Persons being
9 considered for state employment in positions directly responsible for
10 the supervision, care, or treatment of children(~~, mentally ill~~
11 persons)) or individuals with mental illness or ((developmentally
12 disabled persons)) developmental disabilities; and (2) individual
13 providers who are paid by the state for in-home services and hired by
14 individuals with physical disabilities, developmental disabilities,
15 mental illness, or mental impairment. The investigation may include an
16 examination of state and national criminal identification data and the
17 child abuse and neglect register established under chapter 26.44 RCW.
18 The secretary shall provide the results of the state background check
19 on individual providers to the individuals with physical disabilities,

1 developmental disabilities, mental illness, or mental impairment who
2 hired them and to their legal guardians, if any. The secretary shall
3 use the information solely for the purpose of determining the
4 character, suitability, and competence of these applicants except that
5 in the case of individuals with physical disabilities, developmental
6 disabilities, mental illness, or mental impairment who employ
7 individual providers, the determination of character, suitability, and
8 competence of applicants shall be made by the individual with a
9 physical disability, developmental disability, mental illness, or
10 mental impairment. Criminal justice agencies shall provide the
11 secretary such information as they may have and that the secretary may
12 require for such purpose. If necessary, persons may be employed on a
13 conditional basis pending completion of the background investigation.

14 NEW SECTION. **Sec. 2.** This act applies prospectively except
15 individuals who currently employ individual providers paid by the state
16 may be given the option to request a state background check during
17 reassessment for services.

Passed the Senate April 17, 1993.

Passed the House April 13, 1993.

Approved by the Governor May 6, 1993.

Filed in Office of Secretary of State May 6, 1993.