

WAC 388-97-1790 Background checks—General. (1) If any background check results show that an employee or prospective employee has a conviction or pending charge for a crime that is not automatically disqualifying under chapter 388-113 WAC, then the nursing home must:

(a) Determine whether the person has the character, competence and suitability to work with vulnerable adults in long-term care; and

(b) Document in writing the basis for making the decision, and make it available to the department upon request.

(2) Nothing in this section should be interpreted as requiring the employment of any person against the better judgment of the nursing home. In addition to chapter 71A.12 RCW, these rules are authorized by RCW 43.20A.710, 43.43.830 through 43.43.842 and 74.39A.051.

[Statutory Authority: RCW 74.39A.056 and chapters 74.42, 18.51 RCW. WSR 14-14-027, § 388-97-1790, filed 6/24/14, effective 7/25/14.]