

**WAC 388-97-1820 Disqualification from nursing home employment.**

(1) The nursing home must not employ directly or by contract, or accept as a volunteer or student, any individual:

(a) Who has a criminal conviction or pending charge for a crime, which is automatically disqualifying under chapter 388-113 WAC;

(b) Who has one or more of the following disqualifying negative actions:

(i) Is on a registry based upon a final finding of abuse, neglect, or financial exploitation of a vulnerable adult, unless the finding was made by adult protective services prior to October 2003;

(ii) Has a founded finding of abuse or neglect of a child that was made against the person, unless the finding was made by child protective services prior to October 1, 1998;

(iii) Had a contract or license denied, terminated, revoked, or suspended due to abuse, neglect, financial exploitation, or mistreatment of a child or vulnerable adult;

(iv) Has relinquished a license or terminated a contract because an agency was taking an action against the individual related to alleged abuse, neglect, financial exploitation or mistreatment of a child or vulnerable adult;

(v) Was found in any dependency action to have sexually assaulted or exploited any child or to have physically abused any child;

(vi) Was found by a court in a domestic relations proceeding under Title 26 RCW, or under any comparable state or federal law, to have sexually abused or exploited any child or to have physically abused any child;

(vii) A court has issued a permanent restraining order or order of protection, either active or expired, against the individual that was based upon abuse, neglect, financial exploitation, or mistreatment of a child or vulnerable adult; or

(viii) Is a registered sex offender.

(2) In addition to chapters 18.51 and 74.42 RCW, these rules are authorized by RCW 43.20A.710, 43.43.830 through 43.43.842 and 74.39A.050(8).

[Statutory Authority: RCW 74.39A.056 and chapters 74.42, 18.51 RCW. WSR 14-14-027, § 388-97-1820, filed 6/24/14, effective 7/25/14. Statutory Authority: Chapters 18.51 and 74.42 RCW. WSR 10-02-021, § 388-97-1820, filed 12/29/09, effective 1/29/10. Statutory Authority: Chapters 18.51 and 74.42 RCW and 42 C.F.R. 489.52. WSR 08-20-062, § 388-97-1820, filed 9/24/08, effective 11/1/08.]