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MEMORANDUM

To: House Committee on Children and Seniors
From: Kyle Hamilton, Assistant Revisor of Statutes
Date: February 21, 2019
Subject: Bill Brief on HB 2343

Last year, HB 2386 was enacted into law. The bill updated background check requirements for different entities and allowed adult care homes, home health agencies and providers of disability services to utilize provisional employees. Under current law, those entities may hire an applicant under provisional employment for a period of 60 days until a final determination of such applicant's fitness for the position has been made. Such final determination is required to include a review of the applicant's criminal history record. Additionally, an applicant is given a 20-day period to submit fingerprints, which are used in the criminal history record check. If such 20-day period passes and the fingerprints have not been submitted, the applicant's application is deemed withdrawn.

HB 2343 would strike provisions that allow adult care homes, home health agencies and providers of disability services to utilize provisional employment, as follows:

- Section 1 concerns adult care homes and, on page 6, starting on line 6, the language pertaining to the 20-day period to submit fingerprints has been stricken. At the bottom of page 6, starting on line 40, the authorization for adult care homes to use provisional employees has been stricken.
- Section 2 concerns providers of disability services and, on page 13, starting on line 3, the language pertaining to the 20-day period to submit fingerprints has been stricken. On page 14, starting on line 7, the authorization for providers of disability services to use provisional employees has been stricken.
- Section 3 concerns home health agencies and, on page 19, starting on line 15, the language pertaining to the 20-day period to submit fingerprints has been stricken. On

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page 20, starting on line 1, the authorization for home health agencies to use provisional employees has been stricken.

HB 2343 would become effective upon publication in the statute book, on July 1, 2019.