

**§2138. Prohibited employment based on disqualifying offenses**

A temporary nurse agency shall conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel, including a certified nursing assistant or a direct care worker. [PL 2015, c. 494, Pt. A, §19 (RPR).]

The department may adopt rules necessary to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2015, c. 299, §19 (NEW).]

**1. Subject of notation.**

[PL 2015, c. 196, §11 (RP); PL 2015, c. 299, §19 (RP).]

**2. Convicted of crime involving abuse, neglect or misappropriation.**

[PL 2015, c. 196, §11 (RP); PL 2015, c. 299, §19 (RP).]

**3. Other prior conviction.**

[PL 2015, c. 196, §11 (RP); PL 2015, c. 299, §19 (RP).]

## SECTION HISTORY

PL 2009, c. 621, §5 (NEW). PL 2011, c. 257, §16 (AMD). PL 2015, c. 196, §11 (RPR). PL 2015, c. 299, §19 (RPR). PL 2015, c. 494, Pt. A, §19 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.