

**§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).

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