

129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 934

H.P. 689

House of Representatives, February 21, 2019

Resolve, To Review the Implementation of the Maine Background Check Center Act

Reference to the Committee on Health and Human Services suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative PERRY of Calais. Cosponsored by Senator CLAXTON of Androscoggin and Representatives: BRENNAN of Portland, CRAVEN of Lewiston, MADIGAN of Waterville, McCREIGHT of Harpswell.

1 Sec. 1. Background check system study. Resolved: That the Commissioner 2 of Health and Human Services shall convene a study group consisting of representatives of child care facilities, child placing agencies, children's residential care facilities, family 3 child care providers, nursery schools, hospice providers, home health care providers, 4 nursing facilities, personal care agencies and placement agencies, temporary nurse 5 agencies, adult day care programs, assisted housing programs, residential care facilities, 6 intermediate care facilities for individuals with intellectual disabilities, mental health 7 services facilities and providers, drug treatment centers and other interested stakeholders 8 to assess the effects of the implementation of the system of background checks 9 established by the Maine Background Check Center Act. In conducting the assessment, 10 the study group shall consider: 11

- 12 1. A cost and comprehensiveness comparison to background check systems in other 13 states to determine the efficiency of the background check system used in this State;
 - 2. Any instances of discrimination within the waiver process;
- 3. Ways to allow for a background check to travel with an employee from one job to
 another within a 5-year time frame; and
- 4. The necessity of subjecting current employees to the background check system
 who were already subject to a background check within the previous 5 years.

19 Sec. 2. Report. Resolved: That the study group convened pursuant to section 1 shall develop recommendations regarding improvements to the background check system 20 21 and possible alternatives and options for greater cost-effectiveness. The Commissioner of Health and Human Services shall submit a report regarding the study group's 22 recommendations, including any recommended legislation, to the Joint Standing 23 24 Committee on Health and Human Services no later than December 15, 2019. The committee may submit legislation based on the report to the Second Regular Session of 25 the 129th Legislature. 26

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SUMMARY

This resolve directs the Commissioner of Health and Human Services to convene a study group to assess the effects of the implementation of the system of background checks established by the Maine Background Check Center Act. The commissioner is required to submit a report, including any recommended legislation, by December 15, 2019 to the Joint Standing Committee on Health and Human Services, which may submit legislation based on the report to the Second Regular Session of the 129th Legislature.