

## COMPLIANCE WITH BACKGROUND SCREENING REQUIREMENTS POLICY

### All Employees

All employees who provide direct care assistance to clients of med waiver services to individuals with developmental disabilities will be screened according to Level II background screening requirements.

As of August 2, 2010, livescan is required and fingerprint hard cards are not accepted for processing. Out-of-state applicants must follow specific procedures for background screening which can be found on the AHCA website.

### Employees and Contractors employed before August 1, 2010

Every employee/contractor must attest to meeting the requirements of this chapter and agreeing to inform the employer immediately if arrested for any of the disqualifying offenses while employed by the employer. [Section 435.05(2)]. This attestation must be maintained in the employee's personnel file. You may use the Affidavit of Compliance with Background Screening to satisfy the attestation requirement.

If an employer becomes aware that an employee/contractor has been arrested for a disqualifying offense, the employer must remove the employee/contractor from contact with any vulnerable person that places the employee/contractor in a role that requires background screening until the arrest is resolved in a way that the employer determines that the employee/contractor is still eligible for employment/contracting under this chapter. [Section 435.06(2)(b)]

### AHCA Background Screening Information

Please refer to the AHCA website for the most current background screening requirements, including but not limited to rescreening requirements and eligibility determinations. The following information will help the employee should he have any questions regarding the law and background screening requirements.

AHCA Website - Background Screening

[http://ahca.myflorida.com/MCHQ/Central\\_Services/Background\\_Screening/](http://ahca.myflorida.com/MCHQ/Central_Services/Background_Screening/)

TITLE XXXI LABOR CHAPTER 435 EMPLOYMENT SCREENING

<http://flsenate.gov/Laws/Statutes/2010/Chapter435>

2010 Florida Statutes (including Special Session A) Title XXIX PUBLIC HEALTH Chapter 408 HEALTH CARE ADMINISTRATION

<http://flsenate.gov/Laws/Statutes/2010/408.809>

Background Screening; Prohibited Offenses (select View Rule)

<https://www.flrules.org/gateway/ruleNo.asp?id=59A-35.090>

Affidavit of Compliance with Background Screening Requirements (if employed prior to 08-01-10)

[http://ahca.myflorida.com/MCHQ/Central\\_Services/Background\\_Screening/](http://ahca.myflorida.com/MCHQ/Central_Services/Background_Screening/)

APD Information on Background Screening Requirements

<http://apdcares.org/background-screening/>

I have read and fully understand the Compliance with Background Screening Requirements Policy and agree to follow its dictates.

\_\_\_\_\_  
Staff Signature

\_\_\_\_\_  
Date