

HOUSE RESEARCH

Bill Summary

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Overview

This bill establishes a requirement for the health-related licensing boards and the commissioner of health to have criminal background checks completed on all applicants for initial licensure, licensure by endorsement, or reinstatement. Requires the boards and the commissioner to develop a plan for all licensees to have a criminal background check completed.

Section

1 Health-related licensing boards; criminal background checks. Creates § 214.075.

Subd. 1. Applications. By January 1, 2018, requires all applicants for initial licensure, licensure by endorsement, or reinstatement to submit to a criminal history check of state and national data. Requires completion of a criminal history check if more than one year has elapsed since the applicant last submitted a background check to the board.

Subd. 2. Investigations. Allows a board to require a licensee to submit to a criminal history record check if the board has reasonable cause to believe the licensee has been charged with or convicted of a crime.

Subd. 3. Consent form; fees; and fingerprints. Requires the applicant to submit a completed consent form for a criminal background check and a full set of fingerprints. Holds the applicant responsible for payment of all fees.

Subd. 4. Refusal to consent. Prohibits a board from issuing a license to any applicant who refuses to consent to a background check or fails to submit fingerprints

Section

within 90 days after an application is submitted. Provides that failure to submit to a criminal background check as required in subdivision 3 is grounds for disciplinary action.

Subd. 5. Submission of fingerprints to the Bureau of Criminal Apprehension. Requires the board to submit applicant fingerprints to the BCA. Requires the BCA to perform a check of state criminal justice information and to forward the fingerprints to the FBI for a check of national criminal justice information. Instructs the BCA to report findings back to the entity that initiated the background study.

Subd. 6. Alternatives to fingerprint-based criminal background checks. Allows a board to require an alternative method of criminal history checks under specified circumstances.

Subd. 7. Opportunity to challenge accuracy of report. Establishes the process and procedure for an applicant or licensee to challenge the accuracy of the criminal history information reported to the board or the commissioner.

Subd. 8. Instructions to the board; plans. Requires the boards to collaborate with DHS and the BCA to establish a plan for completing criminal background checks of all licensees who were licensed before the effective date requirement under subdivision 1.

- 2 **Inclusion of other health-related occupations.** Provides that if the Department of Health is not reviewed by the Sunset Commission as scheduled, then the commissioner of health shall require applicants for licensure or renewal to submit to criminal background checks as required in §214.075.
- 3 **Appropriation.** Appropriates an unspecified amount for fiscal year 2014 from the state government special revenue fund to the Administrative Services Unit for implementation of a criminal history check program.