

## Session 119 - (2011-2012)

### S 1070 General Bill, By Cromer

#### Summary: Direct caregivers

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-2905 SO AS TO MOVE THE DEFINITION OF A DIRECT CAREGIVER IN A DIRECT CARE ENTITY TO THIS SECTION; TO AMEND SECTION 44-7-2910, RELATING TO CRIMINAL RECORD CHECKS FOR DIRECT CAREGIVERS, SO AS TO SPECIFY THAT A DIRECT CARE ENTITY MUST HAVE A STATE AND A FEDERAL CRIMINAL RECORD CHECKS CONDUCTED ON A DIRECT CAREGIVER APPLICANT BEFORE THE APPLICANT IS EMPLOYED, TO DELETE THE DEFINITION OF A DIRECT CAREGIVER IN A DIRECT CARE ENTITY, AND TO DELETE PROVISIONS NO LONGER APPLICABLE TO THE PROCEDURES FOR OBTAINING THESE RECORD CHECKS; BY ADDING SECTION 44-7-2915 SO AS TO PROHIBIT A PERSON FROM APPLYING FOR, AND A DIRECT CARE ENTITY FROM, EMPLOYING A PERSON AS A DIRECT CAREGIVER WHO HAS BEEN CONVICTED OF CERTAIN CRIMES, TO ENUMERATE THESE CRIMES, TO REQUIRE A STATEMENT ON EMPLOYMENT APPLICATIONS AND IN CONTRACTS RECITING THIS PROHIBITION, AND TO PROVIDE CRIMINAL PENALTIES FOR SUCH A PERSON WHO APPLIES FOR EMPLOYMENT AS OR WHO CONTRACTS TO BE A DIRECT CAREGIVER; TO AMEND SECTION 44-7-4920, RELATING TO CRIMINAL RECORD CHECK PROCEDURES, SO AS TO FURTHER SPECIFY AND CONFORM THESE PROCEDURES TO THIS ACT; AND BY ADDING SECTION 44-7-2925 SO AS TO PROHIBIT A DIRECT CAREGIVER FROM TRANSPORTING CLIENTS OR PATIENTS WHILE EMPLOYED AS A DIRECT CAREGIVER IF THE CAREGIVER HAS HAD AN ALCOHOL RELATED DRIVING OFFENSE WITHIN TEN YEARS OF SEEKING EMPLOYMENT OR SUBSEQUENT TO BECOMING EMPLOYED.

**01/10/12 Senate Introduced and read first time (Senate Journal-page 37)**

**01/10/12 Senate Referred to Committee on Medical Affairs (Senate Journal-page 37)**