South Carolina Legislature

May 04, 2024, 09:32:03 pm

Session 115 - (2003-2004)

07/13/04

07/14/04

H*3987 (Rat #0414, Act #0264 of 2004) General Bill, By White, Altman and Toole Similar (S 0671)

Summary: Direct caregivers in nursing homes, provisions requiring criminal background checks

AN ACT TO AMEND SECTION 44-7-2910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL RECORD CHECKS FOR DIRECT CAREGIVERS IN NURSING HOMES AND OTHER FACILITIES PROVIDING CARE TO ADULTS, SO AS TO REQUIRE A FACILITY TO COMMENCE A CRIMINAL RECORD CHECK PRIOR TO EMPLOYING OR CONTRACTING WITH A DIRECT CAREGIVER, TO REQUIRE EMPLOYMENT AGENCIES PLACING DIRECT CAREGIVERS TO HAVE SUCH CHECKS CONDUCTED AND TO REQUIRE A RECORD OF THE RESULTS OF THE CHECK TO BE MAINTAINED, TO PROVIDE THAT FACULTY AND STUDENTS IN EDUCATIONAL PROGRAMS IN DIRECT CARE FACILITIES ARE NOT "DIRECT CAREGIVERS", TO REQUIRE A DIRECT CARE ENTITY TO CONDUCT A STATE CRIMINAL RECORD CHECK PRIOR TO EMPLOYING AN INDIVIDUAL WHEN SOUTH CAROLINA RESIDENCY CAN NOT BE VERIFIED AND TO PROVIDE THAT A DIRECT CARE ENTITY IS ONLY REQUIRED TO CONDUCT A FEDERAL CHECK AFTER EMPLOYMENT COMMENCES IF RESIDENCY IN ANOTHER STATE CANNOT BE VERIFIED: AND TO AMEND SECTION 44-7-2920, RELATING TO PROCEDURES FOR CONDUCTING CRIMINAL RECORD CHECKS, SO AS TO DELETE THE PROVISION AUTHORIZING A DIRECT CARE ENTITY TO TEMPORARILY EMPLOY A PERSON PENDING THE RESULTS OF THE CRIMINAL RECORD CHECK. - ratified title

Bailey HJ-35

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| 04/09/03 | House | Introduced and read first time HJ-75 |
| 04/09/03 | House | Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-76 |
| 05/21/03 | House | Recalled from Committee on Medical, Military, Public and Municipal Affairs HJ-40 |
| 05/22/03 | House | Member(s) request name added as sponsor: Altman |
| 05/27/03 | House | Debate adjourned until Wednesday, May 28, 2003 HJ-20 |
| 05/28/03 | House | Amended HJ-33 |
| 05/28/03 | House | Requests for debate-Rep(s). EH Pitts, Rutherford, JE Smith, Howard, JH Neal, Weeks, Quinn, |
| | | Clyburn, Tripp, Hosey, Merrill, Pinson, Duncan, Herbkersman, Viers, Jennings and Bailey HJ-3 |
| 06/03/03 | House | Debate adjourned until Tuesday, January 13, 2004 HJ-120 |
| 01/14/04 | House | Debate adjourned until Tuesday, February 3, 2004 HJ-93 |
| 02/03/04 | House | Member(s) request name added as sponsor: Toole |
| 02/04/04 | House | Amended HJ-27 |
| 02/04/04 | House | Read second time HJ-28 |
| 02/04/04 | House | Roll call Yeas-110 Nays-0 HJ-28 |
| 02/05/04 | House | Read third time and sent to Senate HJ-22 |
| 02/05/04 | Senate | Introduced and read first time SJ-7 |
| 02/05/04 | Senate | Referred to Committee on Medical Affairs SJ-7 |
| 05/13/04 | Senate | Committee report: Favorable with amendment Medical Affairs SJ-6 |
| 05/14/04 | | Scrivener's error corrected |
| 05/18/04 | Senate | Amended SJ-24 |
| 05/18/04 | Senate | Read second time SJ-24 |
| 05/18/04 | Senate | Ordered to third reading with notice of amendments SJ-24 |
| 05/19/04 | Senate | Amended SJ-48 |
| 05/19/04 | Senate | Read third time and returned to House with amendments SJ-48 |
| 05/26/04 | House | Senate amendment amended HJ-50 |
| 05/26/04 | House | Returned to Senate with amendments HJ-53 |
| 06/02/04 | Senate | Concurred in House amendment and enrolled SJ-41 |
| 06/03/04 | | Ratified R 414 |
| 07/06/04 | | Signed By Governor |
| 07/13/04 | | Copies available |
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Effective date See Act For Effective Date

Act No. 264