

## Session 115 - (2003-2004)

**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

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-35
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
07/13/04		Effective date See Act For Effective Date
07/14/04		Act No. 264