

THE FLORIDA SENATE
2014 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/SB 674 — Background Screening

by Criminal Justice Committee; Health Policy Committee; and Senator Bean

The bill revises the background screening provisions for persons required by law to undergo criminal background screening.

The bill updates the disqualifying offenses to include additional offenses involving fraudulent activity for persons screened as a part of health care facility licensure and adds offenses involving attempting, soliciting, or conspiring to commit a listed disqualifying offense for any person subject to background screening. A person may apply for an exemption from disqualification due to rescreening if the person was previously screened and qualified under the applicable statutes but has a disqualifying offense that became effective July 1, 2014 and the disqualifying offense was committed before last screening.

The 3-year waiting period after payment of court-ordered monetary amounts in order to be eligible for an exemption from disqualification for certain felony convictions is eliminated. Screenings handled through the Care Provider Background Screening Clearinghouse (clearinghouse) must now be initiated and registered through the clearinghouse prior to referring the employee or potential employee for fingerprinting. Additionally, certain identifying information of the person to be fingerprinted must be submitted on behalf of all persons to be screened.

The bill provides for the submission of an individual taxpayer identification number if a social security number cannot be obtained and allows health care facilities and employers that are required to conduct background screenings to submit an attestation, rather than an affidavit, that they have complied with the screening requirements.

The statutory placement of the requirement for submission of a photograph taken at the time of fingerprinting is relocated so that it is not a requirement for all screenings but only for those handled through the clearinghouse.

The Department of Highway Safety and Motor Vehicles is authorized to provide driver's license photographs to the Department of Health and the Agency for Health Care Administration pursuant to an interagency agreement with each agency.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 27-0; House 117-0