

(D) (1) UPON COMPLETION OF THE CRIMINAL BACKGROUND INVESTIGATION OF AN EMPLOYEE, THE DEPARTMENT SHALL SUBMIT THE PRINTED STATEMENT TO:

(I) THE EMPLOYEE'S CURRENT OR PROSPECTIVE EMPLOYER AT THE FACILITY OR PROGRAM; AND

(II) THE EMPLOYEE.

(2) UPON COMPLETION OF THE CRIMINAL BACKGROUND INVESTIGATION OF AN EMPLOYER, THE DEPARTMENT SHALL SUBMIT THE PRINTED STATEMENT TO:

(I) THE APPROPRIATE STATE OR LOCAL AGENCY RESPONSIBLE FOR THE LICENSURE, REGISTRATION, OR CERTIFICATION OF THE EMPLOYER'S FACILITY; AND

(II) THE EMPLOYER.

(E) (1) EXCEPT IN THE CASE WHERE A PERSON WHO IS THE SUBJECT OF AN OUTSTANDING ARREST WARRANT OR CRIMINAL SUMMONS HAS BEEN IDENTIFIED, ALL INFORMATION OBTAINED BY THE DEPARTMENT REGARDING ANY CRIMINAL CHARGES AND THEIR DISPOSITION--

~~(1)--SHALL-BE-CONFIDENTIAL;~~

~~(2) MAY NOT BE TRANSMITTED OUTSIDE THE DEPARTMENT, EXCEPT AS EXPRESSLY AUTHORIZED UNDER THIS PART VI;--AND~~

~~(3)--MAY--NOT--BE--TRANSMITTED--TO--ANYONE--WITHIN--THE DEPARTMENT--EXCEPT--AS--NEEDED--FOR--THE--PURPOSE--OF--EVALUATING--THE APPLICATION--~~

~~(F)--ANY-PERSON-WHO-VIOLATES-ANY-PROVISION-OF-SUBSECTION-(E) OF--THIS-SECTION-IS-GUILTY-OF-A-MISDEMEANOR-AND, UPON-CONVICTION, IS-SUBJECT-TO-A-FINE-OF-NOT-MORE-THAN-\$500--OR--IMPRISONMENT--NOT EXCEEDING-60-DAYS,--OR--BOTH--~~

(2) INFORMATION OBTAINED BY THE EMPLOYER FROM THE DEPARTMENT UNDER THIS PART VI SHALL BE CONFIDENTIAL.

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(A) IN CONFORMITY WITH THE FOLLOWING PROCEDURES, AN INDIVIDUAL MAY CONTEST THE FINDING OF A CRIMINAL CONVICTION OR PENDING CHARGE REPORTED IN A PRINTED STATEMENT.

(B) IN CONTESTING THE FINDING OF A CONVICTION OR A PENDING CHARGE, THE INDIVIDUAL SHALL CONTACT THE OFFICE OF THE SECRETARY, OR A DESIGNEE OF THE SECRETARY, AND A HEARING SHALL BE CONVENED WITHIN 20 WORKDAYS, UNLESS SUBSEQUENTLY WAIVED BY THE INDIVIDUAL. THE SECRETARY, OR A DESIGNEE OF THE SECRETARY, SHALL RENDER A DECISION REGARDING THE APPEAL WITHIN 5 WORKDAYS OF THE HEARING.