

~~IMPRISONMENT OR BOTH WHICH MAY NOT EXCEED THE MAXIMUM PUNISHMENT PRESCRIBED FOR THE UNDERLYING CRIME OF VIOLENCE OF NOT MORE THAN \$5,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect on or application to any offense committed before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.

Approved May 23, 1996.

## CHAPTER 572

(Senate Bill 253)

AN ACT concerning

### Nursing Homes—Criminal Background Investigations

### Adult Dependent Care Programs – Criminal History Records Checks and Background Checks

FOR the purpose of requiring criminal ~~background investigations of nursing home~~ history records checks or private agency background checks of certain adult dependent care program potential eligible employees; requiring disclosure of certain criminal convictions or pending criminal charges by certain ~~individuals affiliated with nursing homes potential eligible~~ employees of adult dependent care programs; requiring certain reference requests; authorizing certain alcohol or controlled dangerous substance tests; providing for the confidentiality of certain information under certain circumstances; establishing certain procedures for applying for a criminal ~~background investigation~~ history records check; providing immunity from civil and criminal liability for certain persons and agencies; requiring the Department of Public Safety and Correctional Services or a private agency to conduct criminal ~~background investigations and history records checks or background checks~~; requiring the Secretary of the Department of Public Safety and Correctional Services to adopt certain regulations; defining certain terms; providing for a certain penalty under certain circumstances; requiring certain persons to report to certain committees by a certain date; and generally relating to criminal ~~background investigations for nursing home~~ history records checks and private agency background checks for adult dependent care program potential eligible employees.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5-361

Annotated Code of Maryland

(1995 Replacement Volume and 1995 Supplement)