

(III) WHO IS NOT LICENSED OR CERTIFIED UNDER THE HEALTH OCCUPATIONS ARTICLE.

(2) "ELIGIBLE EMPLOYEE" DOES NOT INCLUDE AN INDIVIDUAL DELIVERING OR RETRIEVING MEDICAL EQUIPMENT.

~~(F) (G) "PRINTED STATEMENT" MEANS A LETTER ISSUED BY THE CRIMINAL JUSTICE INFORMATION SYSTEM CITING FEDERAL OR STATE CRIMINAL CHARGES AGAINST AN APPLICANT A POTENTIAL EMPLOYEE WHO REQUESTS DOCUMENT ISSUED BY THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY IN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES IN RESPONSE TO AN APPLICATION FOR A CRIMINAL BACKGROUND HISTORY RECORDS CHECK.~~

~~(K) (H) "PRIVATE ENTITY" MEANS ANY INDIVIDUAL OR BUSINESS WHO IS NOT AN EMPLOYER, AS DEFINED IN THIS SECTION.~~

~~(L) (I) "SECRETARY" MEANS THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.~~

(J) "CRIMINAL HISTORY RECORDS CHECK" MEANS A CHECK OF CRIMINAL HISTORY RECORD INFORMATION, AS DEFINED IN ARTICLE 27, § 743 OF THE CODE, BY THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(K) "BACKGROUND CHECK" MEANS A CHECK OF COURT AND OTHER RECORDS BY A PRIVATE AGENCY.

19-1802.

~~(A) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, AN EMPLOYEE IN A NURSING FACILITY SHALL APPLY FOR A FEDERAL AND STATE CRIMINAL BACKGROUND INVESTIGATION BEFORE A POTENTIAL EMPLOYEE MAY BEGIN EMPLOYMENT WITH AN ADULT DEPENDENT CARE PROGRAM.~~

~~(1) (I) THE POTENTIAL EMPLOYEE SHALL APPLY FOR A CRIMINAL HISTORY RECORDS CHECK AT THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES; OR~~

~~(II) THE ADULT DEPENDENT CARE PROGRAM SHALL REQUEST A PRIVATE AGENCY TO CONDUCT A BACKGROUND CHECK; AND~~

~~(2) THE ADULT DEPENDENT CARE PROGRAM SHALL REQUEST A REFERENCE FROM THE POTENTIAL EMPLOYEE'S MOST RECENT EMPLOYER.~~

(A) BEFORE AN ELIGIBLE EMPLOYEE MAY BEGIN WORK FOR AN ADULT DEPENDENT CARE PROGRAM, EACH ADULT DEPENDENT CARE PROGRAM SHALL, FOR EACH ELIGIBLE EMPLOYEE:

(1) (I) APPLY FOR A STATE CRIMINAL HISTORY RECORDS CHECK; OR

(II) REQUEST A PRIVATE AGENCY TO CONDUCT A BACKGROUND CHECK; AND