

Article - Health - General

19-1901.

(h) "Private [entity]" means any individual or business who is not an employer, as defined in this section] AGENCY" MEANS A PERSON THAT:

(1) IS LICENSED AS A PRIVATE DETECTIVE AGENCY UNDER TITLE 13, SUBTITLE 3 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

(2) MAINTAINS AN ERRORS AND OMISSIONS INSURANCE POLICY IN AN AMOUNT NOT LESS THAN \$1,000,000;

(3) OFFERS CUSTOMER ASSISTANCE IN THE USE OF BACKGROUND CHECKS FOR EMPLOYMENT PURPOSES; AND

(4) IS CAPABLE OF CONDUCTING A BACKGROUND CHECK WITHIN THE STATE WITHIN 2 WORKING DAYS OF A REQUEST AND OUTSIDE THE STATE WITHIN 5 WORKING DAYS OF A REQUEST.

19-1902.

(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

(2) Request a reference from the potential employee's most recent employer.

(b) The reference request required under subsection (a)(2) of this section shall, at a minimum, seek information about any history of physical abuse on the part of the potential employee.

(c) An adult dependent care program shall pay for each eligible employee:

(1) A State criminal history records check; or

(2) A private agency background check.

(D) IF AN ADULT DEPENDENT CARE PROGRAM REQUESTS A PRIVATE AGENCY TO CONDUCT A BACKGROUND CHECK, THE PRIVATE AGENCY SHALL CONDUCT A BACKGROUND CHECK IN EACH STATE IN WHICH THE ADULT DEPENDENT CARE PROGRAM KNOWS OR HAS REASON TO KNOW THE ELIGIBLE EMPLOYEE WORKED OR RESIDED DURING THE PAST 7 YEARS.

19-1904.

(a) As part of the application for a STATE criminal history records check TO BE CONDUCTED BY THE DEPARTMENT, an eligible employee shall submit to the Adult Dependent Care Program: