



Rep. Ann Williams

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1 AMENDMENT TO HOUSE BILL 5008

2 AMENDMENT NO. _____. Amend House Bill 5008 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Nursing Home Care Act is amended by
5 changing Section 2-201.5 as follows:

6 (210 ILCS 45/2-201.5)

7 Sec. 2-201.5. Screening prior to admission.

8 (a) All persons age 18 or older seeking admission to a
9 nursing facility must be screened to determine the need for
10 nursing facility services prior to being admitted, regardless
11 of income, assets, or funding source. Screening for nursing
12 facility services shall be administered through procedures
13 established by administrative rule. Screening may be done by
14 agencies other than the Department as established by
15 administrative rule. This Section applies on and after July 1,
16 1996. No later than October 1, 2010, the Department of

1 Healthcare and Family Services, in collaboration with the
2 Department on Aging, the Department of Human Services, and the
3 Department of Public Health, shall file administrative rules
4 providing for the gathering, during the screening process, of
5 information relevant to determining each person's potential
6 for placing other residents, employees, and visitors at risk of
7 harm.

8 (a-1) Any screening performed pursuant to subsection (a) of
9 this Section shall include a determination of whether any
10 person is being considered for admission to a nursing facility
11 due to a need for mental health services. For a person who
12 needs mental health services, the screening shall also include
13 an evaluation of whether there is permanent supportive housing,
14 or an array of community mental health services, including but
15 not limited to supported housing, assertive community
16 treatment, and peer support services, that would enable the
17 person to live in the community. The person shall be told about
18 the existence of any such services that would enable the person
19 to live safely and humanely and about available appropriate
20 nursing home services that would enable the person to live
21 safely and humanely, and the person shall be given the
22 assistance necessary to avail himself or herself of any
23 available services.

24 (a-2) Pre-screening for persons with a serious mental
25 illness shall be performed by a psychiatrist, a psychologist, a
26 registered nurse certified in psychiatric nursing, a licensed

1 clinical professional counselor, or a licensed clinical social
2 worker, who is competent to (i) perform a clinical assessment
3 of the individual, (ii) certify a diagnosis, (iii) make a
4 determination about the individual's current need for
5 treatment, including substance abuse treatment, and recommend
6 specific treatment, and (iv) determine whether a facility or a
7 community-based program is able to meet the needs of the
8 individual.

9 For any person entering a nursing facility, the
10 pre-screening agent shall make specific recommendations about
11 what care and services the individual needs to receive,
12 beginning at admission, to attain or maintain the individual's
13 highest level of independent functioning and to live in the
14 most integrated setting appropriate for his or her physical and
15 personal care and developmental and mental health needs. These
16 recommendations shall be revised as appropriate by the
17 pre-screening or re-screening agent based on the results of
18 resident review and in response to changes in the resident's
19 wishes, needs, and interest in transition.

20 Upon the person entering the nursing facility, the
21 Department of Human Services or its designee shall assist the
22 person in establishing a relationship with a community mental
23 health agency or other appropriate agencies in order to (i)
24 promote the person's transition to independent living and (ii)
25 support the person's progress in meeting individual goals.

26 (a-3) The Department of Human Services, by rule, shall

1 provide for a prohibition on conflicts of interest for
2 pre-admission screeners. The rule shall provide for waiver of
3 those conflicts by the Department of Human Services if the
4 Department of Human Services determines that a scarcity of
5 qualified pre-admission screeners exists in a given community
6 and that, absent a waiver of conflicts, an insufficient number
7 of pre-admission screeners would be available. If a conflict is
8 waived, the pre-admission screener shall disclose the conflict
9 of interest to the screened individual in the manner provided
10 for by rule of the Department of Human Services. For the
11 purposes of this subsection, a "conflict of interest" includes,
12 but is not limited to, the existence of a professional or
13 financial relationship between (i) a PAS-MH corporate or a
14 PAS-MH agent and (ii) a community provider or long-term care
15 facility.

16 (b) In addition to the screening required by subsection
17 (a), a facility, except for those licensed as long term care
18 for under age 22 facilities, shall, within 24 hours after
19 admission, request a criminal history background check
20 pursuant to the Uniform Conviction Information Act for all
21 persons age 18 or older seeking admission to the facility,
22 unless a background check was initiated by a hospital pursuant
23 to subsection (d) of Section 6.09 of the Hospital Licensing
24 Act. Background checks conducted pursuant to this Section shall
25 be based on the resident's name, date of birth, and other
26 identifiers as required by the Department of State Police. If

1 the results of the background check are inconclusive, the
2 facility shall initiate a fingerprint-based check, unless the
3 fingerprint check is waived by the Director of Public Health
4 based on verification by the facility that the resident is
5 completely immobile or that the resident meets other criteria
6 related to the resident's health or lack of potential risk
7 which may be established by Departmental rule. A waiver issued
8 pursuant to this Section shall be valid only while the resident
9 is immobile or while the criteria supporting the waiver exist.
10 The facility shall provide for or arrange for any required
11 fingerprint-based checks to be taken on the premises of the
12 facility. If a fingerprint-based check is required, the
13 facility shall arrange for it to be conducted in a manner that
14 is respectful of the resident's dignity and that minimizes any
15 emotional or physical hardship to the resident. Fingerprint
16 vendors assisting in the initiation of fingerprint checks shall
17 comply with the provisions contained in Section 37 of the
18 Health Care Worker Background Check Act.

19 (c) If the results of a resident's criminal history
20 background check reveal that the resident is an identified
21 offender as defined in Section 1-114.01, the facility shall do
22 the following:

23 (1) Immediately notify the Department of State Police,
24 in the form and manner required by the Department of State
25 Police, in collaboration with the Department of Public
26 Health, that the resident is an identified offender.

1 (2) Within 72 hours, arrange for a fingerprint-based
2 criminal history record inquiry to be requested on the
3 identified offender resident. The inquiry shall be based on
4 the subject's name, sex, race, date of birth, fingerprint
5 images, and other identifiers required by the Department of
6 State Police. The inquiry shall be processed through the
7 files of the Department of State Police and the Federal
8 Bureau of Investigation to locate any criminal history
9 record information that may exist regarding the subject.
10 The Federal Bureau of Investigation shall furnish to the
11 Department of State Police, pursuant to an inquiry under
12 this paragraph (2), any criminal history record
13 information contained in its files.

14 The facility shall comply with all applicable provisions
15 contained in the Uniform Conviction Information Act.

16 All name-based and fingerprint-based criminal history
17 record inquiries shall be submitted to the Department of State
18 Police electronically in the form and manner prescribed by the
19 Department of State Police. The Department of State Police may
20 charge the facility a fee for processing name-based and
21 fingerprint-based criminal history record inquiries. The fee
22 shall be deposited into the State Police Services Fund. The fee
23 shall not exceed the actual cost of processing the inquiry.

24 (d) (Blank).

25 (e) The Department shall develop and maintain a
26 de-identified database of residents who have injured facility

1 staff, facility visitors, or other residents, and the attendant
2 circumstances, solely for the purposes of evaluating and
3 improving resident pre-screening and assessment procedures
4 (including the Criminal History Report prepared under Section
5 2-201.6) and the adequacy of Department requirements
6 concerning the provision of care and services to residents. A
7 resident shall not be listed in the database until a Department
8 survey confirms the accuracy of the listing. The names of
9 persons listed in the database and information that would allow
10 them to be individually identified shall not be made public.
11 Neither the Department nor any other agency of State government
12 may use information in the database to take any action against
13 any individual, licensee, or other entity, unless the
14 Department or agency receives the information independent of
15 this subsection (e). All information collected, maintained, or
16 developed under the authority of this subsection (e) for the
17 purposes of the database maintained under this subsection (e)
18 shall be treated in the same manner as information that is
19 subject to Part 21 of Article VIII of the Code of Civil
20 Procedure.

21 (Source: P.A. 96-1372, eff. 7-29-10; 97-48, eff. 6-28-11.)

22 Section 10. The Health Care Worker Background Check Act is
23 amended by changing Section 15, 33, and 50 and by adding
24 Section 37 as follows:

1 (225 ILCS 46/15)

2 Sec. 15. Definitions. In this Act:

3 "Applicant" means an individual seeking employment with a
4 health care employer who has received a bona fide conditional
5 offer of employment.

6 "Conditional offer of employment" means a bona fide offer
7 of employment by a health care employer to an applicant, which
8 is contingent upon the receipt of a report from the Department
9 of Public Health indicating that the applicant does not have a
10 record of conviction of any of the criminal offenses enumerated
11 in Section 25.

12 "Direct care" means the provision of nursing care or
13 assistance with feeding, dressing, movement, bathing,
14 toileting, or other personal needs, including home services as
15 defined in the Home Health, Home Services, and Home Nursing
16 Agency Licensing Act. The entity responsible for inspecting and
17 licensing, certifying, or registering the health care employer
18 may, by administrative rule, prescribe guidelines for
19 interpreting this definition with regard to the health care
20 employers that it licenses.

21 "Disqualifying offenses" means those offenses set forth in
22 Section 25 of this Act.

23 "Employee" means any individual hired, employed, or
24 retained to which this Act applies.

25 "Fingerprint-based criminal history records check" means a
26 ~~livescan~~ fingerprint-based criminal history records check

1 submitted as a fee applicant inquiry in the form and manner
2 prescribed by the Department of State Police.

3 "Health care employer" means:

4 (1) the owner or licensee of any of the following:

5 (i) a community living facility, as defined in the
6 Community Living Facilities Act;

7 (ii) a life care facility, as defined in the Life
8 Care Facilities Act;

9 (iii) a long-term care facility;

10 (iv) a home health agency, home services agency, or
11 home nursing agency as defined in the Home Health, Home
12 Services, and Home Nursing Agency Licensing Act;

13 (v) a hospice care program or volunteer hospice
14 program, as defined in the Hospice Program Licensing
15 Act;

16 (vi) a hospital, as defined in the Hospital
17 Licensing Act;

18 (vii) (blank);

19 (viii) a nurse agency, as defined in the Nurse
20 Agency Licensing Act;

21 (ix) a respite care provider, as defined in the
22 Respite Program Act;

23 (ix-a) an establishment licensed under the
24 Assisted Living and Shared Housing Act;

25 (x) a supportive living program, as defined in the
26 Illinois Public Aid Code;

1 (xi) early childhood intervention programs as
2 described in 59 Ill. Adm. Code 121;

3 (xii) the University of Illinois Hospital,
4 Chicago;

5 (xiii) programs funded by the Department on Aging
6 through the Community Care Program;

7 (xiv) programs certified to participate in the
8 Supportive Living Program authorized pursuant to
9 Section 5-5.01a of the Illinois Public Aid Code;

10 (xv) programs listed by the Emergency Medical
11 Services (EMS) Systems Act as Freestanding Emergency
12 Centers;

13 (xvi) locations licensed under the Alternative
14 Health Care Delivery Act;

15 (2) a day training program certified by the Department
16 of Human Services;

17 (3) a community integrated living arrangement operated
18 by a community mental health and developmental service
19 agency, as defined in the Community-Integrated Living
20 Arrangements Licensing and Certification Act; or

21 (4) the State Long Term Care Ombudsman Program,
22 including any regional long term care ombudsman programs
23 under Section 4.04 of the Illinois Act on the Aging, only
24 for the purpose of securing background checks.

25 "Fingerprint vendor" means a person that offers,
26 advertises, or provides services to fingerprint individuals,

1 through electronic or other means, for the purpose of providing
2 fingerprint images and associated demographic data to the
3 Department of State Police for processing fingerprint-based
4 criminal history record information inquiries.

5 "Initiate" means obtaining from a student, applicant, or
6 employee his or her social security number, demographics, a
7 disclosure statement, and an authorization for the Department
8 of Public Health or its designee to request a fingerprint-based
9 criminal history records check; transmitting this information
10 electronically to the Department of Public Health; conducting
11 Internet searches on certain web sites, including without
12 limitation the Illinois Sex Offender Registry, the Department
13 of Corrections' Sex Offender Search Engine, the Department of
14 Corrections' Inmate Search Engine, the Department of
15 Corrections Wanted Fugitives Search Engine, the National Sex
16 Offender Public Registry, and the website of the Health and
17 Human Services Office of Inspector General to determine if the
18 applicant has been adjudicated a sex offender, has been a
19 prison inmate, or has committed Medicare or Medicaid fraud, or
20 conducting similar searches as defined by rule; and having the
21 student, applicant, or employee's fingerprints collected and
22 transmitted electronically to the Department of State Police.

23 ~~"Livescan vendor" means an entity whose equipment has been~~
24 ~~certified by the Department of State Police to collect an~~
25 ~~individual's demographics and inkless fingerprints and, in a~~
26 ~~manner prescribed by the Department of State Police and the~~

1 ~~Department of Public Health, electronically transmit the~~
2 ~~fingerprints and required data to the Department of State~~
3 ~~Police and a daily file of required data to the Department of~~
4 ~~Public Health. The Department of Public Health shall negotiate~~
5 ~~a contract with one or more vendors that effectively~~
6 ~~demonstrate that the vendor has 2 or more years of experience~~
7 ~~transmitting fingerprints electronically to the Department of~~
8 ~~State Police and that the vendor can successfully transmit the~~
9 ~~required data in a manner prescribed by the Department of~~
10 ~~Public Health. Vendor authorization may be further defined by~~
11 ~~administrative rule.~~

12 "Long-term care facility" means a facility licensed by the
13 State or certified under federal law as a long-term care
14 facility, including without limitation facilities licensed
15 under the Nursing Home Care Act, the Specialized Mental Health
16 Rehabilitation Act, or the ID/DD Community Care Act, a
17 supportive living facility, an assisted living establishment,
18 or a shared housing establishment or registered as a board and
19 care home.

20 (Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-227,
21 eff. 1-1-12; revised 10-4-11.)

22 (225 ILCS 46/33)

23 Sec. 33. Fingerprint-based criminal history records check.

24 (a) A fingerprint-based criminal history records check is
25 not required for health care employees who have been

1 continuously employed by a health care employer since October
2 1, 2007, have met the requirements for criminal history
3 background checks prior to October 1, 2007, and have no
4 disqualifying convictions or requested and received a waiver of
5 those disqualifying convictions. These employees shall be
6 retained on the Health Care Worker Registry as long as they
7 remain active. Nothing in this subsection (a) shall be
8 construed to prohibit a health care employer from initiating a
9 criminal history records check for these employees. Should
10 these employees seek a new position with a different health
11 care employer, then a fingerprint-based criminal history
12 records check shall be required.

13 (b) On October 1, 2007 or as soon thereafter as is
14 reasonably practical, in the discretion of the Director of
15 Public Health, and thereafter, any student, applicant, or
16 employee who desires to be included on the Department of Public
17 Health's Health Care Worker Registry must authorize the
18 Department of Public Health or its designee to request a
19 fingerprint-based criminal history records check to determine
20 if the individual has a conviction for a disqualifying offense.
21 This authorization shall allow the Department of Public Health
22 to request and receive information and assistance from any
23 State or local governmental agency. Each individual shall
24 submit his or her fingerprints to the Department of State
25 Police in an electronic format that complies with the form and
26 manner for requesting and furnishing criminal history record

1 information prescribed by the Department of State Police. The
2 fingerprints submitted under this Section shall be checked
3 against the fingerprint records now and hereafter filed in the
4 Department of State Police criminal history record databases.
5 The Department of State Police shall charge a fee for
6 conducting the criminal history records check, which shall not
7 exceed the actual cost of the records check. The fingerprint
8 ~~livescan~~ vendor may act as the designee for individuals,
9 educational entities, or health care employers in the
10 collection of Department of State Police fees and deposit those
11 fees into the State Police Services Fund. The Department of
12 State Police shall provide information concerning any criminal
13 convictions, now or hereafter filed, against the individual.

14 (c) On October 1, 2007 or as soon thereafter as is
15 reasonably practical, in the discretion of the Director of
16 Public Health, and thereafter, an educational entity, other
17 than a secondary school, conducting a nurse aide training
18 program must initiate a fingerprint-based criminal history
19 records check requested by the Department of Public Health
20 prior to entry of an individual into the training program.

21 (d) On October 1, 2007 or as soon thereafter as is
22 reasonably practical, in the discretion of the Director of
23 Public Health, and thereafter, a health care employer who makes
24 a conditional offer of employment to an applicant for a
25 position as an employee must initiate a fingerprint-based
26 criminal history record check, requested by the Department of

1 Public Health, on the applicant, if such a background check has
2 not been previously conducted.

3 (e) When initiating a background check requested by the
4 Department of Public Health, an educational entity or health
5 care employer shall electronically submit to the Department of
6 Public Health the student's, applicant's, or employee's social
7 security number, demographics, disclosure, and authorization
8 information in a format prescribed by the Department of Public
9 Health within 2 working days after the authorization is
10 secured. The student, applicant, or employee must have his or
11 her fingerprints collected electronically and transmitted to
12 the Department of State Police within 10 working days. The
13 educational entity or health care employer must transmit all
14 necessary information and fees to the fingerprint ~~livescan~~
15 vendor and Department of State Police within 10 working days
16 after receipt of the authorization. This information and the
17 results of the criminal history record checks shall be
18 maintained by the Department of Public Health's Health Care
19 Worker Registry.

20 (f) A direct care employer may initiate a fingerprint-based
21 background check requested by the Department of Public Health
22 for any of its employees, but may not use this process to
23 initiate background checks for residents. The results of any
24 fingerprint-based background check that is initiated with the
25 Department as the requestor shall be entered in the Health Care
26 Worker Registry.

1 (g) As long as the employee has had a fingerprint-based
2 criminal history record check requested by the Department of
3 Public Health and stays active on the Health Care Worker
4 Registry, no further criminal history record checks shall be
5 deemed necessary, as the Department of State Police shall
6 notify the Department of Public Health of any additional
7 convictions associated with the fingerprints previously
8 submitted. Health care employers are required to check the
9 Health Care Worker Registry before hiring an employee to
10 determine that the individual has had a fingerprint-based
11 record check requested by the Department of Public Health and
12 has no disqualifying convictions or has been granted a waiver
13 pursuant to Section 40 of this Act. If the individual has not
14 had such a background check or is not active on the Health Care
15 Worker Registry, then the health care employer must initiate a
16 fingerprint-based record check requested by the Department of
17 Public Health. If an individual is inactive on the Health Care
18 Worker Registry, that individual is prohibited from being hired
19 to work as a certified nurse aide if, since the individual's
20 most recent completion of a competency test, there has been a
21 period of 24 consecutive months during which the individual has
22 not provided nursing or nursing-related services for pay. If
23 the individual can provide proof of having retained his or her
24 certification by not having a 24 consecutive month break in
25 service for pay, he or she may be hired as a certified nurse
26 aide and that employment information shall be entered into the

1 Health Care Worker Registry.

2 (h) On October 1, 2007 or as soon thereafter as is
3 reasonably practical, in the discretion of the Director of
4 Public Health, and thereafter, if the Department of State
5 Police notifies the Department of Public Health that an
6 employee has a new conviction of a disqualifying offense, based
7 upon the fingerprints that were previously submitted, then (i)
8 the Health Care Worker Registry shall notify the employee's
9 last known employer of the offense, (ii) a record of the
10 employee's disqualifying offense shall be entered on the Health
11 Care Worker Registry, and (iii) the individual shall no longer
12 be eligible to work as an employee unless he or she obtains a
13 waiver pursuant to Section 40 of this Act.

14 (i) On October 1, 2007, or as soon thereafter, in the
15 discretion of the Director of Public Health, as is reasonably
16 practical, and thereafter, each direct care employer or its
17 designee must provide an employment verification for each
18 employee no less than annually. The direct care employer or its
19 designee must log into the Health Care Worker Registry through
20 a secure login. The health care employer or its designee must
21 indicate employment and termination dates within 30 days after
22 hiring or terminating an employee, as well as the employment
23 category and type. Failure to comply with this subsection (i)
24 constitutes a licensing violation. For health care employers
25 that are not licensed or certified, a fine of up to \$500 may be
26 imposed for failure to maintain these records. This information

1 shall be used by the Department of Public Health to notify the
2 last known employer of any disqualifying offenses that are
3 reported by the Department of State Police.

4 (j) The Department of Public Health shall notify each
5 health care employer or long-term care facility inquiring as to
6 the information on the Health Care Worker Registry if the
7 applicant or employee listed on the registry has a
8 disqualifying offense and is therefore ineligible to work or
9 has a waiver pursuant to Section 40 of this Act.

10 (k) The student, applicant, or employee must be notified of
11 each of the following whenever a fingerprint-based criminal
12 history records check is required:

13 (1) That the educational entity, health care employer,
14 or long-term care facility shall initiate a
15 fingerprint-based criminal history record check requested
16 by the Department of Public Health of the student,
17 applicant, or employee pursuant to this Act.

18 (2) That the student, applicant, or employee has a
19 right to obtain a copy of the criminal records report that
20 indicates a conviction for a disqualifying offense and
21 challenge the accuracy and completeness of the report
22 through an established Department of State Police
23 procedure of Access and Review.

24 (3) That the applicant, if hired conditionally, may be
25 terminated if the criminal records report indicates that
26 the applicant has a record of a conviction of any of the

1 criminal offenses enumerated in Section 25, unless the
2 applicant obtains a waiver pursuant to Section 40 of this
3 Act.

4 (4) That the applicant, if not hired conditionally,
5 shall not be hired if the criminal records report indicates
6 that the applicant has a record of a conviction of any of
7 the criminal offenses enumerated in Section 25, unless the
8 applicant obtains a waiver pursuant to Section 40 of this
9 Act.

10 (5) That the employee shall be terminated if the
11 criminal records report indicates that the employee has a
12 record of a conviction of any of the criminal offenses
13 enumerated in Section 25.

14 (6) If, after the employee has originally been
15 determined not to have disqualifying offenses, the
16 employer is notified that the employee has a new
17 conviction(s) of any of the criminal offenses enumerated in
18 Section 25, then the employee shall be terminated.

19 (l) A health care employer or long-term care facility may
20 conditionally employ an applicant for up to 3 months pending
21 the results of a fingerprint-based criminal history record
22 check requested by the Department of Public Health.

23 (m) The Department of Public Health or an entity
24 responsible for inspecting, licensing, certifying, or
25 registering the health care employer or long-term care facility
26 shall be immune from liability for notices given based on the

1 results of a fingerprint-based criminal history record check.

2 (Source: P.A. 95-120, eff. 8-13-07.)

3 (225 ILCS 46/37 new)

4 Sec. 37. Fingerprint vendor fees. The Department of Public
5 Health shall establish a set fee for fingerprint services that
6 all approved fingerprint vendors offering fingerprint services
7 under this Act and Section 2-201.5 of the Nursing Home Care Act
8 may not exceed. Any fingerprint vendor meeting the requirements
9 set forth in this Section shall be licensed by the Department
10 of Financial and Professional Regulation for participation in
11 both programs. Any vendor currently providing fingerprint
12 vendor services under the requirements of this Act or the
13 Nursing Home Care Act shall be notified within 30 days after
14 the effective date of this amendatory Act of the 97th General
15 Assembly of the provisions contained in this Act and Section
16 2-201.5 of the Nursing Home Care Act and shall be given 30 days
17 after the date the fingerprint vendor is notified of the
18 established fee to notify the Department of State Police of the
19 fingerprint vendor's intent to seek certification. All
20 participating fingerprint vendors shall comply with the
21 established fee requirements within 30 days after being
22 notified that a fee has been set, regardless of the status of
23 their application for certification. Certification
24 qualifications shall include, but not be limited to, the
25 following:

1 (1) two or more years of experience transmitting
2 fingerprints electronically to the Department of State
3 Police;

4 (2) successful transmission of the required data in a
5 manner agreed on by the Department of Public Health and the
6 Department of State Police;

7 (3) licensure by the State as a fingerprint vendor
8 under the Private Detective, Private Alarm, Private
9 Security, Fingerprint Vendor, and Locksmith Act of 2004;
10 and

11 (4) an agreement to simultaneously provide fingerprint
12 services under multiple Acts.

13 All administrative rules adopted under this Section shall
14 be agreed upon by the Department of State Police and the
15 Department of Public Health.

16 (225 ILCS 46/50)

17 Sec. 50. Health care employer files. The health care
18 employer shall retain on file for a period of 5 years records
19 of criminal records requests for all employees. The health care
20 employer shall retain a copy of the disclosure and
21 authorization forms, a copy of the fingerprint ~~livescan~~ request
22 form, all notifications resulting from the fingerprint-based
23 criminal history records check and waiver, if appropriate, for
24 the duration of the individual's employment. The files shall be
25 subject to inspection by the agency responsible for inspecting,

1 licensing, or certifying the health care employer. A fine of up
2 to \$500 may be imposed by the appropriate agency for failure to
3 maintain these records. The Department of Public Health must
4 keep an electronic record of criminal history background checks
5 for an individual for as long as the individual remains active
6 on the Health Care Worker Registry.

7 (Source: P.A. 95-120, eff. 8-13-07.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law."