Overview

Under current law, the Commissioner of Corrections is authorized, but not required, to conduct a background check on personnel employed by juvenile correctional facilities. This bill makes such a background check mandatory. It requires the Commissioner of Corrections to contract with the Commissioner of Human Services to conduct background checks of individuals who provide services in secure and nonsecure juvenile correctional facilities if they have direct contact with juveniles receiving services or residing in the facility. It provides that a person who is disqualified under the background check is, thereby, disqualified from positions providing direct contact or access to juveniles in the facility or any other program jointly licensed by the Commissioners of Corrections and Human Services.

1 Background studies required. Under current law, the Commissioner of Corrections is authorized, but not required, to conduct a background check on personnel employed by juvenile correctional facilities. This section makes such a background check mandatory.

Paragraph (a) requires the Commissioner of Corrections to contract with the Commissioner of Human Services to conduct background checks of individuals who provide services in secure and nonsecure juvenile correctional facilities if they have direct contact with juveniles receiving services or residing in the facility. It provides that a person who is disqualified under the background check is, thereby, disqualified from positions providing direct contact to juveniles in the facility or any other program jointly licensed by the Commissioners of Corrections and Human Services.

Paragraph (b) requires the Commissioner of Human Services to conduct the background check in accordance with the provisions in the human services licensing law. If an individual is disqualified by the background check, the Commissioner must notify the individual and the facility and inform the individual of the right to request reconsideration of the denial by the Commissioner of Corrections.

Paragraph (c) requires the Commissioner of Corrections to review and decide requests for reconsideration in accordance with the procedures and criteria of the human services
licensing law. It provides that the Commissioner's decision to grant or deny reconsideration is the final administrative action for purposes of appeal.

**Paragraph (d)** requires juvenile correctional facilities to cooperate with the Departments of Corrections and Human Services in implementing this section. It provides that the responsibilities imposed on applicants and licensees under the human services licensing law apply to these facilities, including provisions relating to the refusal by a licensee, applicant, or individual to cooperate with the completion of a background check.