

216.789 Prohibition against employing certain felons at long-term care facilities, health care services agencies providing staff to nursing facilities, or in assisted living communities -- Preemployment check with Justice and Public Safety Cabinet -- Temporary employment.

- (1) No long-term care facility as defined by KRS 216.535(1), health care services agency providing staff to a nursing facility, or assisted living community shall knowingly employ a person in a position which involves providing direct care services to a resident or client if that person has been convicted of a felony offense related to theft; abuse or sale of illegal drugs; abuse, neglect, or exploitation of an adult; or a sexual crime.
- (2) A nursing facility, health care services agency providing staff to a nursing facility, or assisted living community may employ persons convicted of or pleading guilty to an offense classified as a misdemeanor if the crime is not related to abuse, neglect, or exploitation of an adult.
- (3) Each long-term care facility as defined by KRS 216.535(1), health care services agency providing staff to a nursing facility, or assisted living community shall request all conviction information from the Justice and Public Safety Cabinet for any applicant for employment pursuant to KRS 216.793.
- (4) The long-term care facility, health care services agency providing staff to a nursing facility, or assisted living community may temporarily employ an applicant pending the receipt of the conviction information.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 110, sec. 11, effective July 14, 2022. -- Amended 2007 Ky. Acts ch. 85, sec. 248, effective June 26, 2007. -- Amended 2000 Ky. Acts ch. 141, sec. 17, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 189, sec. 4, effective July 15, 1998; and ch. 380, sec. 2, effective July 15, 1998. -- Created 1994 Ky. Acts ch. 427, sec. 4, effective July 15, 1994.