

VOTE “YES” ON CS/HB 943

Background Screening

In 2010, the Florida Legislature adopted sweeping changes to Florida’s background screening law, requiring thousands of prospective employees and volunteers to get state and federal background (Level 2) screenings before they can work or volunteer to work with vulnerable populations - children, the elderly and the disabled. The new screening requirements have caused significant problems for many employers, employees, volunteers, and nonprofits that use volunteers.

CS/HB 943 addresses many of those problems. Among others, it:

- Exempts from background screening:
 - **Intermittent volunteers** serving the elderly on an intermittent basis for less than 20 hours per week, provided the volunteers are not listed on the Department of Law Enforcement Career Offender Search or the Dru Sjodin National Sex Offender Public Website;
 - **Relatives**;
 - **Law enforcement officers** with active certification; and
 - **Attorneys** in good standing with the Florida Bar.
- **New Hires** – Allows an employer to hire an employee to a position that requires background screening before the employee completes the screening process for training and orientation purposes. However, the employee may not have direct contact with vulnerable persons until the screening process is successfully completed.
- Restores an exemption from screening removed last year for **mental health personnel** with 15 hours or less direct contact with patients per week in a hospital licensed pursuant to Chapter 395, F.S. The exemption does not apply to persons working in a mental health facility where the primary purpose of the facility is the treatment of minors.

Lastly, the bill creates a **Statewide Interagency Background Screening Workgroup** that will develop a work plan for implementing a statewide system for streamlining background screening processes and sharing background screening information. This first-of-its-kind-in-the-nation system will address the vast majority of additional challenges being faced by employers, employees, and volunteers. The Workgroup will be comprised of representatives from the Agency for Health Care Administration, the Florida Department of Law Enforcement, the Department of Elder Affairs, the Department of Children and Families, the Department of Health, and the Agency for Persons with Disabilities to create the Statewide Interagency Background Screening Workgroup. It must submit its work plan to Speaker of the House of Representatives and the President of the Senate by November 1, 2012.

Please vote “YES” on CS/HB 943.

For additional information, please contact
the United Way of Florida at: (850) 488-8276.

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