

**Repealed 5/12/2015**

**62A-2-120.5 Pilot program for expedited background check of a qualified human services applicant.**

- (1) As used in this section:
  - (a) "Business day" means a day on which the office is open.
  - (b) "Qualified human services applicant" means a person who:
    - (i) is associated with a licensee that provides services, under contract with the Division of Services for People with Disabilities, to a person with a disability; and
    - (ii) has not lived outside of Utah for the five years immediately preceding the day on which the person applies for a background check.
- (2) Beginning on May 11, 2010, and ending on July 1, 2017, the office shall, within two business days after the day on which the office receives a request for an initial background check of a qualified human services applicant:
  - (a) conduct the background check; and
  - (b)
    - (i) send an email to the licensee that submitted the request for the background check, stating that the qualified human services applicant passed the background check, if:
      - (A) the licensee submits with the request a waiver that:
        - (I) is approved by the office;
        - (II) is signed by the qualified human services applicant; and
        - (III) permits the office to provide the results of the background check to the licensee that submits the request;
      - (B) the background check does not indicate that the qualified human services applicant has a criminal history;
      - (C) the qualified human services applicant is not listed in the statewide database of the Division of Aging and Adult Services created by Section 62A-3-311.1; and
      - (D) the qualified human services applicant is not listed in the Licensing Information System of the Division of Child and Family Services created by Section 62A-4a-1006; or
    - (ii) send an email to the licensee that submitted the request for the background check, stating that the qualified human services applicant did not pass the background check, or that additional research is needed, if:
      - (A) the licensee submits with the request a waiver that:
        - (I) is approved by the office;
        - (II) is signed by the qualified human services applicant; and
        - (III) permits the office to provide the results of the background check to the licensee that submits the request; and
      - (B)
        - (I) the background check indicates that the qualified human services applicant may have a criminal history;
        - (II) the qualified human services applicant is listed in the statewide database of the Division of Aging and Adult Services created by Section 62A-3-311.1; or
        - (III) the qualified human services applicant is listed in the Licensing Information System of the Division of Child and Family Services created by Section 62A-4a-1006.
- (3) The office shall, during the 2016 interim, report to the Legislature's Health and Human Services Interim Committee, regarding:
  - (a) the functioning of the pilot program described in this section;
  - (b) whether the pilot program should be converted to an ongoing program;
  - (c) whether the pilot program should be modified; and

(d) whether the pilot program should be expanded to include background checks of other human services providers.