

- (B) is the aunt, uncle, or sibling of the person to whom the services are rendered; or
- (C) (I) has submitted the information required for a background check pursuant to Section 62A-2-120; and
 - (II) the office has not determined whether to approve the direct service worker to have direct access and provide services to children or vulnerable adults; and
- (ii) is not listed in:
 - (A) the Licensing Information System of the Division of Child and Family Services created by Section 62A-4a-116.2;
 - (B) the statewide database of the Division of Aging and Adult Services created by Section 62A-3-311.1 as having a substantiated finding of abuse, neglect, or exploitation; or
 - (C) juvenile court records as having a substantiated finding under Section 78-3a-320 that the direct service worker committed a severe type of child abuse or neglect.

364 (3) For purposes of Subsection (2), the office shall conduct a background check of a
365 direct service worker:

366 (a) ~~Ĥ→~~, except as provided in Subsection (2)(b) or (c), ~~←Ĥ~~ before public funds are disbursed
366a to pay the direct service worker for the personal
367 services described in Subsection (2); and

368 (b) using the same procedures established for a background check of an applicant for
369 an initial license under Section 62A-2-120.