

RIVERSIDE FOUNDATION

HEALTH CARE WORKER BACKGROUND CHECK POLICY

Background

Illinois Statue requires that health care employers not knowingly hire, employ, or retain any individual in a position with duties involving direct care for clients, patients or residents of licensed long-term care facilities or day training programs if that person has been convicted of committing or attempting to commit one or more offenses as specified within Section 955.160 (attached).

The statue also requires that healthcare employers not knowingly hire, employ, or retain any individual in a position with duties involving direct care for clients, patients or residents of licensed long-term care facilities or day training programs if that person has been convicted in *another state* of committing or attempting to commit an offense that has the same or similar elements as an offense listed in Section 955.160 as verified by court records, records from a State agency (e.g., Department of Corrections records), or an FBI criminal history record check.

Policy

Riverside Foundation will not hire, employ or retain any individual in either the residential facilities or the day training program (direct care or other) that has a disqualifying conviction as specified within Section 955.160 unless the applicant has been granted a waiver by the Illinois Department of Public Health.

- 1.) All applicants must authorize the agency to conduct a background check by signing the “Authorization for Background Check” when applying for employment with the agency.
- 2.) The agency will refer to the Healthcare Worker Registry for the applicant’s criminal history check. If the applicant is not on the Registry, the agency will enter the basic information and will receive a print out for the employee to obtain a fingerprint check from a fingerprint vendor within 10 days.
- 3.) If the person is on the Registry with a notation of FEE_APP or CAAPP, it means the potential employee already had a fingerprint check and no additional fingerprint check is required, just the necessary employment information entered onto the Registry.
- 4.) If the person is on the Registry with a previous name-based UCIA background check without a notation of FEE_APP or CAAPP, a fingerprint check is still required. In this case, the agency will enter the employee information and obtain the printout for the employee to get a fingerprint check from a Livescan vendor.

- 5.) The agency, at its discretion, may employ an individual for up to 30 days pending the results of a FEE_APP criminal history record check.
- 6.) Upon receiving verifiable information that an individual has been convicted of a disqualifying event, the individual will be furnished a copy of the conviction report for their review. If they feel that they have reason to dispute the findings (different name, Social Security number, etc.) it is up to the individual to appeal, not the agency.
- 7.) Upon receiving verifiable information that an individual has been convicted of a disqualifying event, the individual will be immediately removed from contact with the residents and will be terminated from employment at Riverside Foundation.
- 8.) The agency accepts granted waivers to allow employment of an individual who has been convicted of a disqualifying event.

Disqualifying Convictions (Section 955.160)

- 1.) Solicitation of murder, solicitation of murder for hire.
- 2.) Murder, homicide, manslaughter or concealment of a homicidal death.
- 3.) Kidnapping or child abduction.
- 4.) Unlawful restraint or forcible detention.
- 5.) Indecent solicitation of a child, sexual exploitation of a child, exploitation of a child, child pornography.
- 6.) Assault; aggravated assault; battery; battery of an unborn child; domestic battery; aggravated domestic battery; aggravated battery with a machine gun or a firearm equipped with a silencer; aggravated battery of a child; aggravated battery of an unborn child; aggravated battery of a senior citizen or a drug-induced infliction of bodily harm.
- 7.) Tampering with food, drugs, or cosmetics
- 8.) Aggravated stalking.
- 9.) Home invasion.
- 10.) Criminal sexual assault; aggravated criminal sexual assault; predatory criminal sexual assault of a child; criminal sexual abuse; aggravated criminal sexual abuse.
- 11.) Abuse or gross neglect of a long term care facility resident.
- 12.) Criminal abuse or neglect of an elderly or disabled person.

- 13.) Endangered the life or health of a child.
- 14.) Ritual mutilation; ritualized abuse of a child.
- 15.) Theft; theft or lost or mislaid property; retail theft; financial identity theft; aggravated financial identity theft.
- 16.) Financial exploitation of an elderly person or a person with a disability.
- 17.) Forgery.
- 18.) Robbery, armed robbery, aggravated robbery.
- 19.) Vehicular hijacking; aggravated vehicular hijacking.
- 20.) Burglary, residential burglary.
- 21.) Criminal trespass to a residence.
- 22.) Arson, aggravated arson, residential arson.
- 23.) Unlawful use of weapons, unlawful use or possession of weapons by felons or persons in the custody of Department of Corrections facilities, aggravated discharge of a firearm; aggravated discharge of a machine gun or a firearm equipped with a silencer; reckless discharge of a firearm; aggravated unlawful use of a weapon; unlawful discharge of firearm projectiles; unlawful sale or deliver of firearms on the premises of any school.
- 24.) Armed violence.
- 25.) Endangering life or health of a child.
- 26.) Permitting sexual abuse of a child.
- 27.) Receiving a stolen credit or debit card.
- 28.) Receiving a lost or mislaid card.
- 29.) Sale or purchase of card without user's consent.
- 30.) Prohibited use of a credit card.
- 31.) Fraudulent use of electronic transmission.
- 32.) Violation under the Criminal Jurisprudence Act: Cruelty to children.

- 33.) Violations under the Cannabis Control Act: manufacturing, delivery, or trafficking of cannabis; delivery of cannabis on school grounds or delivery to person under 18; calculated criminal cannabis conspiracy.
- 34.) Violations under the Illinois Controlled Substances Act: manufacture, delivery or trafficking of controlled substances, calculating criminal drug conspiracy.
- 35.) Violation under the Nursing and Advanced Practice Nursing Act: practice of nursing without a license.