

Title 26.Chapter 2H.  
Part VI.  
FACILITIES FOR  
INSTITUTIONAL-  
IZED ELDERLY  
§§1-6 - C.26:2H-82  
to 26:2H-87  
§§7-13 -  
C.45:11-24.3 to  
45:11-24.9  
§14 - C.53:1-20.9a  
§15 - Note to §§1-14

P.L. 1997, CHAPTER 100, *approved May 12, 1997*

Assembly, No. 995 (*Fourth Reprint*)

1 AN ACT concerning <sup>4</sup>criminal history record background checks for  
2 certain persons who care for<sup>4</sup> the elderly and supplementing Title  
3 26, Title 45, and Title 53 of the Revised Statutes.

4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7

8 1. <sup>4</sup>[As used in] For the purposes of <sup>4</sup> sections <sup>4</sup>[1] <sup>2</sup>4 <sup>1</sup>[to 5]  
9 through <sup>4</sup>[4] <sup>1</sup> and section <sup>1</sup>[13] <sup>12</sup>1 <sup>6</sup> of <sup>4</sup>[ this act] P.L. , c. (C.  
10  )(pending before the Legislature as this bill)<sup>4</sup> :

11 "Facility" means any facility or institution, whether public or  
12 private, offering health or health related services for the  
13 institutionalized elderly, and which is subject to regulation, visitation,  
14 inspection, or supervision by any government agency. Facilities  
15 include, but are not limited to, nursing homes, rehabilitation centers,  
16 residential health care facilities, <sup>1</sup>general hospitals, <sup>1</sup> special hospitals,  
17 chronic disease hospitals, psychiatric hospitals, developmental  
18 disabilities centers or facilities, day care facilities for the elderly,  
19 medical day care centers, and licensed home health care agencies.

20 "Patient, resident or client" means any person, 60 years of age or  
21 older, who is receiving treatment or care in any facility in all its  
22 aspects, including, but not limited to, admission, retention,  
23 confinement, commitment, period of residence, transfer, discharge and  
24 any instances directly related to such status.

25

26 2. a. A facility for the institutionalized elderly, as defined in  
27 section 1 of P.L. , c. (C. ) (pending before the Legislature as this  
28 bill) <sup>4</sup>, <sup>4</sup> shall not hire any <sup>3</sup>unlicensed<sup>3</sup> person serving in a

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly ASI committee amendments adopted January 29, 1996.

<sup>2</sup> Assembly floor amendments adopted February 8, 1996.

<sup>3</sup> Senate SJU committee amendments adopted January 14, 1997.

<sup>4</sup> Senate SBA committee amendments adopted January 27, 1997.

1 <sup>3</sup>[professional or non-professional]<sup>3</sup> position which involves regular  
2 contact with a patient, resident or client as the case may be, except on  
3 a conditional basis as provided for in section 3 of P.L. , c. (C. )  
4 (pending before the Legislature as this bill), unless the Commissioner  
5 of Health first determines, consistent with the requirements of <sup>4</sup>[this  
6 act] P.L. ,c. (C. )(pending before the Legislature as  
7 this bill)<sup>4</sup> , that no criminal history record information exists on file in  
8 the Federal Bureau of Investigation, Identification Division, or in the  
9 State Bureau of Identification in the Division of State Police, which  
10 would disqualify that person from being employed or utilized in such  
11 capacity or position. A person shall be disqualified from employment  
12 under <sup>4</sup>[this act] P.L. ,c. (C. )(pending before the  
13 Legislature as this bill)<sup>4</sup> if that person's criminal history record  
14 background check reveals a record of conviction of any of the  
15 following crimes and offenses:

16 (1) In New Jersey, any crime or disorderly persons offense:

17 (a) involving danger to the person, meaning those crimes and  
18 disorderly persons offenses set forth in N.J.S.2C:11-1 et seq.,  
19 N.J.S.2C:12-1 et seq., N.J.S.2C:13-1 et seq., N.J.S.2C:14-1 et seq. or  
20 N.J.S.2C:15-1 et seq.; or

21 (b) against the family, children or incompetents, meaning those  
22 crimes and disorderly persons offenses set forth in N.J.S.2C:24-1 et  
23 seq.; or

24 (c) involving theft as set forth in chapter 20 of Title 2C of the New  
25 Jersey Statutes; or

26 (d) involving any controlled dangerous substance or analog as set  
27 forth in chapter 35 of Title 2C of the New Jersey Statutes except  
28 paragraph (4) of subsection a. of N.J.S.2C:35-10.

29 (2) In any other state or jurisdiction, of conduct which, if  
30 committed in New Jersey, would constitute any of the crimes or  
31 disorderly persons offenses described in paragraph (1) of this  
32 subsection.

33 b. Notwithstanding the provisions of subsection a. of this section,  
34 no person shall be disqualified from employment under <sup>4</sup>[this  
35 act] P.L. , c. (C. )(pending before the Legislature as this  
36 bill)<sup>4</sup> on the basis of any conviction disclosed by a criminal history  
37 record background check performed pursuant to <sup>4</sup>[this act] P.L. ,c.  
38 (C. )(pending before the Legislature as this bill)<sup>4</sup> if the person  
39 has affirmatively demonstrated to the Commissioner of Health clear  
40 and convincing evidence of <sup>4</sup>[his] the person's <sup>4</sup> rehabilitation. In  
41 determining whether a person has affirmatively demonstrated  
42 rehabilitation, the following factors shall be considered:

43 (1) the nature and responsibility of the position which the  
44 convicted person would hold or has held, as the case may be;

45 (2) the nature and seriousness of the offense;

46 (3) the circumstances under which the offense occurred;

1 (4) the date of the offense;  
2 (5) the age of the person when the offense was committed;  
3 (6) whether the offense was an isolated or repeated incident;  
4 (7) any social conditions which may have contributed to the  
5 offense; and

6 (8) any evidence of rehabilitation, including good conduct in prison  
7 or in the community, counseling or psychiatric treatment received,  
8 acquisition of additional academic or vocational schooling, successful  
9 participation in correctional work-release programs, or the  
10 recommendation of those who have had the person under their  
11 supervision.

12 c. If a person subject to the provisions of <sup>4</sup>[this act] P.L. , c.  
13 (C. ) (pending before the Legislature as this bill)<sup>4</sup> refuses to  
14 consent to, or cooperate in, the securing of a criminal history record  
15 background check, the commissioner shall direct the principal  
16 administrator of the facility not to consider the person for  
17 employment.

18

19 3. <sup>3</sup>a.<sup>3</sup> An applicant for employment at a facility shall submit to the  
20 Commissioner of Health <sup>4</sup>[his] the applicant's<sup>4</sup> name, address and  
21 fingerprints taken on standard fingerprint cards by a State or municipal  
22 law enforcement agency. The commissioner is authorized to exchange  
23 fingerprint data with and receive criminal history record information  
24 from the Federal Bureau of Investigation and the Division of State  
25 Police for use in making the determinations required by P.L. , c.  
26 (C. ) (pending before the Legislature as this bill).

27 <sup>3</sup>b.<sup>3</sup> Upon receipt of the criminal history record information for a  
28 person from the Federal Bureau of Investigation or the Division of  
29 State Police, the commissioner shall immediately notify the applicant  
30 <sup>4</sup>and the applicant's employer or prospective employer<sup>4</sup> , in writing,  
31 of the person's qualification or disqualification for employment under  
32 <sup>4</sup>[this act] P.L. , c. (C. ) (pending before the Legislature  
33 as this bill)<sup>4</sup> . If the applicant is disqualified, the conviction or  
34 convictions which constitute the basis for the disqualification shall be  
35 identified <sup>4</sup>[therein] in the notice to the applicant, but shall not be  
36 identified in the notice to the applicant's employer or prospective  
37 employer<sup>4</sup> .

38 <sup>3</sup>c.<sup>3</sup> The applicant shall have 30 days from the date of the written  
39 notice of disqualification to petition the commissioner for a hearing on  
40 the accuracy of <sup>4</sup>[his] the applicant's<sup>4</sup> criminal history record  
41 information or to establish <sup>4</sup>[his] the applicant's<sup>4</sup> rehabilitation under  
42 subsection b. of section 2 of P.L. , c. (C. ) (pending before  
43 the Legislature as this bill). <sup>4</sup>The commissioner shall notify the  
44 applicant's employer or prospective employer of the applicant's  
45 petition for a hearing within five days following the receipt of the  
46 petition from the applicant.<sup>4</sup>

1       <sup>3</sup>d.<sup>3</sup> A facility may employ a person conditionally for a period not  
2 to exceed 180 days, pending completion of a criminal history record  
3 background check required under <sup>4</sup> [ this act] P.L. , c. (C. )(pending  
4 before the Legislature as this bill)<sup>4</sup> , if the person submits to the  
5 commissioner a sworn statement attesting that <sup>4</sup>[he] the person<sup>4</sup> has  
6 not been convicted of any crime or disorderly persons offense as  
7 described in section 2 of P.L. , c. (C. ) (pending before the  
8 Legislature as this bill). <sup>3</sup>A person who submits a false sworn  
9 statement shall be disqualified from employment by any facility,  
10 <sup>4</sup>[agency or registry] home health care agency, nurses' registry,  
11 employment agency, or temporary help agency<sup>4</sup> , and shall not have  
12 an opportunity to establish <sup>4</sup>[his]<sup>4</sup> rehabilitation pursuant to subsection  
13 <sup>4</sup>[c. ]b. <sup>4</sup> of section 2 of P.L. , c. (C. ) (pending before the  
14 Legislature as this bill).<sup>3</sup> A conditionally employed person who  
15 <sup>3</sup>disputes the accuracy of the criminal history record information and  
16 who<sup>3</sup> files a petition requesting a hearing pursuant to <sup>3</sup>[this act]  
17 subsection c. of this section<sup>3</sup> may remain employed at the facility until  
18 the commissioner rules on the applicant's petition <sup>3</sup>but, pending the  
19 commissioner's ruling, the facility shall not permit the applicant to  
20 have unsupervised contact with elderly patients, residents or clients,  
21 as the case may be<sup>3</sup>.

22       A person who is to be employed in any substitute capacity or  
23 position, who is rehired annually, shall only be required to undergo a  
24 criminal history record check upon initial employment. <sup>4</sup>A person who  
25 has been qualified for employment as a result of a criminal history  
26 record background check pursuant to P.L. , c. (C. ) (pending  
27 before the Legislature as this bill) may use that qualification to obtain  
28 employment with a simultaneous or subsequent employer without  
29 having to undergo another check required by P.L. , c. (C. )  
30 (pending before the Legislature as this bill) for a period of 12 months  
31 from the date of the initial notice of qualification from the  
32 commissioner. The person may request and the commissioner shall  
33 send a notice of qualification upon request to simultaneous or  
34 subsequent employers within 12 months following the date of the  
35 initial qualification notice.<sup>4</sup>

36       Prospective and conditionally employed persons shall retain any  
37 available right of review provided to applicants under Title 11A of the  
38 New Jersey Statutes.

39  
40       4. The prospective employer may assume the cost of all criminal  
41 history record background checks conducted on prospective  
42 employees pursuant to <sup>4</sup>[this act] P.L. ,c. (C. )(pending  
43 before the Legislature as this bill)<sup>4</sup>; or the prospective employer may  
44 require the prospective employee to pay the cost of the criminal  
45 history record background checks.

1 5. In accordance with the "Administrative Procedure Act,"  
2 P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Health  
3 shall adopt rules and regulations necessary to implement the provisions  
4 of sections 1 <sup>1</sup>[to] through<sup>1 4</sup> <sup>4</sup>and section 6<sup>4</sup> of P.L. , c. (C. )  
5 (pending before the Legislature as this bill).

6  
7 <sup>1</sup>6. Any employer subject to the provisions of sections 1 through  
8 5 of P.L. , c. (C. ) (pending before the Legislature as this bill)  
9 who fails to comply with those provisions or any person submitting a  
10 false sworn statement pursuant to section 3 of P.L. , c. (C. )  
11 (pending before the Legislature as this bill) shall be subject to a fine of  
12 not more than \$1,000.<sup>1</sup>

13  
14 <sup>1</sup>[6.] 7.<sup>1</sup> a. A home health care agency, nurses' registry,  
15 employment agency, or temporary help agency which is licensed or  
16 regulated by the Division of Consumer Affairs in the Department of  
17 Law and Public Safety, shall not hire a home health aide or other  
18 health care employee <sup>4</sup>to serve in a position which involves regular  
19 contact with a patient or client who is 60 years of age or older<sup>4</sup> ,  
20 except on a conditional basis as provided for in section <sup>1</sup>[7] 8<sup>1</sup>  
21 of P.L. , c. (C. ) (pending before the Legislature as this bill),  
22 unless the director first determines, consistent with the requirements  
23 of <sup>4</sup>[this act] P.L. .c. (C. )(pending before the Legislature  
24 as this bill)<sup>4</sup> , that no criminal history record information exists on file  
25 in the Federal Bureau of Investigation, Identification Division, or in  
26 the State Bureau of Identification in the Division of State Police,  
27 which would disqualify that person from being employed or utilized in  
28 such capacity or position. A person shall be disqualified from  
29 employment under P.L. , c. (C. ) (pending before the Legislature  
30 as this bill) if that person's criminal history record background check  
31 reveals a record of conviction of any of the following crimes and  
32 offenses:

33 (1) In New Jersey, any crime or disorderly persons offense:

34 (a) involving danger to the person, meaning those crimes and  
35 disorderly persons offenses set forth in N.J.S.2C:11-1 et seq.,  
36 N.J.S.2C:12-1 et seq., N.J.S.2C:13-1 et seq., N.J.S.2C:14-1 et seq. or  
37 N.J.S.2C:15-1 et seq.; or

38 (b) against the family, children or incompetents, meaning those  
39 crimes and disorderly persons offenses set forth in N.J.S.2C:24-1 et  
40 seq.; or

41 (c) involving theft as set forth in chapter 20 of Title 2C of the New  
42 Jersey Statutes; or

43 (d) involving any controlled dangerous substance or analog as set  
44 forth in chapter 35 of Title 2C of the New Jersey Statutes except  
45 paragraph (4) of subsection a. of N.J.S.2C:35-10.

46 (2) In any other state or jurisdiction, of conduct which, if

1 committed in New Jersey, would constitute any of the crimes or  
2 disorderly persons offenses described in paragraph (1) of this  
3 subsection.

4 b. Notwithstanding the provisions of subsection a. of this section,  
5 no person shall be disqualified from employment under <sup>4</sup>[this act] P.L.  
6     , c.      (C.     )(pending before the Legislature as this bill)<sup>4</sup> on  
7 the basis of any conviction disclosed by a criminal history record  
8 background check performed pursuant to <sup>4</sup>[this act] P.L.     , c.      (C.  
9     )(pending before the Legislature as this bill)<sup>4</sup> if the person has  
10 affirmatively demonstrated to the Director of the Division of  
11 Consumer Affairs clear and convincing evidence of <sup>4</sup>[his] the person's<sup>4</sup>  
12 rehabilitation. In determining whether a person has affirmatively  
13 demonstrated rehabilitation, the following factors shall be considered:

- 14 (1) the nature and responsibility of the position which the  
15 convicted person would hold or has held, as the case may be;  
16 (2) the nature and seriousness of the offense;  
17 (3) the circumstances under which the offense occurred;  
18 (4) the date of the offense;  
19 (5) the age of the person when the offense was committed;  
20 (6) whether the offense was an isolated or repeated incident;  
21 (7) any social conditions which may have contributed to the  
22 offense; and  
23 (8) any evidence of rehabilitation, including good conduct in prison  
24 or in the community, counseling or psychiatric treatment received,  
25 acquisition of additional academic or vocational schooling, successful  
26 participation in correctional work-release programs, or the  
27 recommendation of those who have had the person under their  
28 supervision.

29 c. If a person subject to the provisions of P.L.     , c.      (C.     )  
30 (pending before the Legislature as this bill) refuses to consent to, or  
31 cooperate in, the securing of a criminal history record background  
32 check, the director shall direct the home health care agency, nurses'  
33 registry, employment agency, or temporary help agency not to  
34 consider the person for employment.

35  
36 <sup>1</sup>[7.] §.<sup>1</sup> <sup>3</sup>a.<sup>3</sup> A home health aide or other health care employee  
37 who is an applicant for employment with a home health care agency,  
38 nurses' registry, employment agency, or temporary help agency which  
39 is licensed or regulated by the Division of Consumer Affairs shall  
40 submit to the Director of the Division of Consumer Affairs <sup>4</sup>[his] the  
41 applicant's<sup>4</sup> name, address and fingerprints taken on standard  
42 fingerprint cards by the State or municipal law enforcement agency.  
43 The director is authorized to exchange fingerprint data with and  
44 receive criminal history record information from the Federal Bureau  
45 of Investigation and the Division of State Police for use in making the  
46 determinations required by P.L.     , c.      (C.     ) (pending before the

1 Legislature as this bill).

2 <sup>3</sup>b.<sup>3</sup> Upon receipt of the criminal history record information for a  
3 person from the Federal Bureau of Investigation or the Division of  
4 State Police, the director shall immediately notify the applicant <sup>4</sup>and  
5 the applicant's employer or prospective employer<sup>4</sup>, in writing, of the  
6 person's qualification or disqualification for employment under P.L. ,  
7 c. (C. ) (pending before the Legislature as this bill). If the  
8 applicant is disqualified, the conviction or convictions which constitute  
9 the basis for the disqualification shall be identified <sup>4</sup>[therein] in the  
10 notice to the applicant, but shall not be identified in the notice to the  
11 applicant's employer or prospective employer<sup>4</sup>.

12 <sup>3</sup>c.<sup>3</sup> The applicant shall have 30 days from the date of the written  
13 notice of disqualification to petition the director for a hearing on the  
14 accuracy of <sup>4</sup>[his] the applicant's<sup>4</sup> criminal history record information  
15 or to establish <sup>4</sup>[his] the applicant's<sup>4</sup> rehabilitation under subsection  
16 b. of section <sup>1</sup>[6] 7<sup>1</sup> of P.L. , c. (C. ) (pending before the  
17 Legislature as this bill). <sup>4</sup>The director shall notify the applicant's  
18 employer or prospective employer of the applicant's petition for a  
19 hearing within five days following the receipt of the petition from the  
20 applicant.<sup>4</sup>

21 <sup>3</sup>d.<sup>3</sup> A home health care agency, nurses' registry, employment  
22 agency, or temporary help agency may employ a home health aide or  
23 other health care employee conditionally for a period not to exceed  
24 180 days, pending completion of a criminal history record background  
25 check required under <sup>4</sup>[this act] P.L. ,c. (C. )(pending  
26 before the legislature as this bill)<sup>4</sup>, if the person submits to the  
27 director a sworn statement attesting that <sup>4</sup>[he] the person<sup>4</sup> has not  
28 been convicted of any crime or disorderly persons offense as described  
29 in section <sup>1</sup>[6] 7<sup>1</sup> of P.L. , c. (C. ) (pending before the  
30 Legislature as this bill). <sup>3</sup>A person who submits a false sworn  
31 statement shall be disqualified from employment by any facility <sup>4</sup>as  
32 defined in section 1 of P.L. , c. (C. )(pending before the  
33 Legislature as this bill)<sup>4</sup>, agency or registry, and shall not have an  
34 opportunity to establish rehabilitation pursuant to subsection b. of  
35 section 7 of P.L. , c. (C. )(pending before the Legislature as this  
36 bill). A conditionally employed person who disputes the accuracy of  
37 the criminal history record information and who files a petition  
38 requesting a hearing pursuant to subsection c. of this section may  
39 remain employed by the employing agency or registry until the director  
40 rules on the applicant's petition but, pending the director's ruling, the  
41 employing agency or registry shall not permit the applicant to have  
42 unsupervised contact with <sup>4</sup>[elderly]<sup>4</sup> patients or clients <sup>4</sup>who are 60  
43 years of age or older<sup>4</sup>.<sup>3</sup>

44 A person who is to be employed in any substitute capacity or  
45 position, who is rehired annually, shall only be required to undergo a  
46 criminal history record check upon initial employment. <sup>1</sup>A home

1 health aide or other health care employee who has been qualified for  
 2 employment as a result of a criminal history record background check  
 3 pursuant to P.L. , c. (C. )(pending before the Legislature  
 4 as this bill) may use that qualification to obtain employment with a  
 5 simultaneous or subsequent employer without having to undergo  
 6 another check required by P.L. , c. (C. )(pending before  
 7 the Legislature as thi bill) for a period of 12 months from the date of  
 8 the initial notice of qualification from the director. The aide or  
 9 employee may request and the director shall send a notice of  
 10 qualification upon request to simultaneous or subsequent employers  
 11 within 12 months following the date of the initial qualification notice.<sup>1</sup>

12  
 13 <sup>1</sup>[8.] 9.<sup>1</sup> The home health care agency, nurses' registry,  
 14 employment agency, or temporary help agency <sup>2</sup>[shall] may<sup>2</sup> assume  
 15 the cost of all criminal history record background checks conducted  
 16 on prospective employees pursuant to P.L. , c. (C. ) (pending  
 17 before the Legislature as this bill) <sup>2</sup>; or it may require the prospective  
 18 employee to pay the cost of the criminal history record background  
 19 checks<sup>2</sup>.

20  
 21 <sup>2</sup>10. The Division of Consumer Affairs shall require that the Board  
 22 of Nursing issue biennial recertifications to home health aides only  
 23 upon receiving documented proof from a home health care agency or  
 24 health care service firm that the home health aide is currently  
 25 employed and regularly supervised by a registered professional nurse.<sup>2</sup>

26  
 27 <sup>2</sup>11. The Division of Consumer Affairs shall require that a Board  
 28 of Nursing certificate issued to a home health aide contain the  
 29 following statement: "Valid only if certified home health aide is  
 30 employed by a home care services agency and is performing delegated  
 31 nursing regimen or nursing tasks delegated through the authority of a  
 32 duly licensed registered professional nurse."<sup>2</sup>

33  
 34 <sup>1</sup>[9.] <sup>2</sup>[10.1] 12.<sup>2</sup> In accordance with the "Administrative  
 35 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the Director  
 36 of the Division of Consumer Affairs shall adopt rules and regulations  
 37 necessary to implement the provisions of sections <sup>1</sup>[6] 7<sup>1</sup> through 9  
 38 <sup>4</sup>and section 13<sup>4</sup> of P.L. , c. (C. ) (pending before the  
 39 Legislature as this bill).

40  
 41 <sup>1</sup>[10.] <sup>2</sup>[11.1] 13.<sup>2</sup> Any employer subject to the provisions of  
 42 <sup>1</sup>sections 7 through <sup>4</sup>[10] 9 and section 12<sup>4</sup> of<sup>1</sup> P.L. , c.  
 43 (C. ) (pending before the Legislature as this bill) who fails to  
 44 comply with <sup>1</sup>[its] those<sup>1</sup> provisions or any person submitting a false  
 45 sworn statement pursuant to <sup>1</sup>[sections 3 or 7] section 8<sup>1</sup> of P.L. ,  
 46 c. (C. ) (pending before the Legislature as this bill) shall be subject



1 to a fine of not more than \$1,000.

2

3 <sup>1</sup>[11.] <sup>2</sup>[12.1] 14.<sup>2</sup> The Division of State Police in the Department  
4 of Law and Public Safety shall conduct a criminal history record  
5 background check including a name and fingerprint identification  
6 check of each prospective employee of a facility as defined in section  
7 1 of P.L. , c. (C. ) (pending before the Legislature as this bill) or  
8 of a home health care agency, nurses' registry, employment agency, or  
9 temporary help agency licensed or regulated by the Director of the  
10 Division of Consumer Affairs. The requirement of a criminal history  
11 record background check shall apply only to a prospective employee  
12 who is or would be serving in a position which involves regular  
13 contact with a patient, resident or client as the case may be, who is 60  
14 years of age or older.

15 For the purpose of conducting the criminal history record  
16 background check, the Division of State Police shall examine its own  
17 files and arrange for a similar examination by federal authorities. The  
18 division shall immediately forward the information obtained as a result  
19 of conducting the check to the Commissioner of Health, in the case of  
20 a facility, and to the Director of the Division of Consumer Affairs, in  
21 the case of a home health care agency, nurses' registry, employment  
22 agency, or temporary help agency.

23

24 <sup>1</sup>[12.] <sup>2</sup>[13.1] 15.<sup>2</sup> This act shall take effect on the first day of the  
25 sixth month after enactment.

26

27

28

29

30 \_\_\_\_\_  
31 Requires criminal history record checks of certain persons applying for  
jobs to provide care for the elderly.