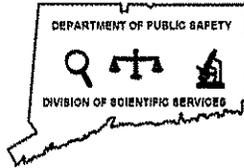




STATE OF CONNECTICUT



DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER

John A. Danaher III
Commissioner

Lieutenant Edwin S. Henion
Chief of Staff

Rep. Joseph C. Serra, Co-Chairman
Sen. Edith G. Prague, Co-Chairman
Select Committee on Aging
Legislative Office Building
Hartford, CT 06106

February 16, 2010

HB 5110 AAC CRIMINAL BACKGROUND CHECKS FOR EMPLOYEES OF HOMEMAKER-COMPANION AGENCIES AND HOME HEALTH AGENCIES

The Department of Public Safety supports concept but suggests language change.

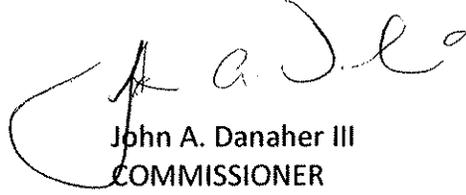
Section 1(8) and section 4 (6) of this bill both require "a review of criminal conviction information obtained through a search of current criminal matters of public record in this state based on the applicant's name and date of birth."

Each of these sections should be amended to state "in accordance with CGS 29-17a". This would require the agency or applicant to request an accurate check from the State Police Bureau of Identification. There are many statutes that govern the medical profession for licensing and certification which require a clean record. Criminal conviction checks which are completed by a third party vendor (i.e. internet checks) may not be accurate as the information is purchased by these companies from the judicial department and will only capture a 'picture in time' of the records at that time of purchase. If they do not update their databases on a daily basis, then erroneous information may be provided to the agency or applicant, which may have a substantial impact on whether or not the applicant is employed. This could result in an unqualified person being hired and also in a qualified person not being hired if a record has been erased and the vendor still shows the record.

The Department of Public Safety has found this to be a frequent problem, as the agency's bureau of identification receives daily calls about erased records that are found through these third party vendors.

The remainder of the act is not problematic and it clearly states it is the responsibility of the agency/applicant to complete the criminal records check. This should eliminate any question as to whether the fees are applicable.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Danaher III". The signature is written in a cursive style with a large initial "J" and "D".

John A. Danaher III

COMMISSIONER

Department of Public Safety