



General Assembly

February Session, 2010

Amendment

LCO No. 4464

HB0511004464HDO

Offered by:

REP. SERRA, 33rd Dist.
SEN. PRAGUE, 19th Dist.
SEN. GAFFEY, 13th Dist.
REP. BYE, 19th Dist.
SEN. KISSEL, 7th Dist.
REP. FREY, 111th Dist.
SEN. DOYLE, 9th Dist.
REP. COOK, 65th Dist.
REP. TALLARITA, 58th Dist.
REP. ALDARONDO, 75th Dist.
REP. ZALASKI, 81st Dist.
REP. FLOREN, 149th Dist.
REP. MORRIS, 140th Dist.
REP. HEWETT, 39th Dist.

REP. CLEMONS, 124th Dist.
REP. GREEN, 1st Dist.
REP. GONZALEZ, 3rd Dist.
REP. CANDELARIA, 95th Dist.
REP. WALKER, 93rd Dist.
REP. AYALA, 128th Dist.
REP. SANTIAGO, 130th Dist.
REP. BUTLER, 72nd Dist.
REP. MILLER P., 145th Dist.
REP. ROBLES, 6th Dist.
REP. BARTLETT, 2nd Dist.
REP. HOLDER-WINFIELD, 94th
Dist.
REP. MCCRORY, 7th Dist.
REP. LAWLOR, 99th Dist.

To: Subst. House Bill No. 5110

File No. 141

Cal. No. 92

**"AN ACT CONCERNING CRIMINAL BACKGROUND CHECKS FOR
EMPLOYEES OF HOMEMAKER-COMPANION AGENCIES AND
HOME HEALTH AGENCIES."**

1 After line 115, insert the following:

2 "(c) (1) No home health agency shall deny employment to any

3 person solely because of a prior conviction of a crime, unless the home
4 health agency determines that such person is not suitable for the
5 position of employment sought based on a review by the home health
6 agency of (A) the nature of the crime and its relationship to the
7 position for which the person has applied, (B) information pertaining
8 to the degree of rehabilitation of the person, and (C) the time elapsed
9 since the conviction or the person's release from prison. If a home
10 health agency denies employment to a person because of a prior
11 conviction of a crime, the home health agency shall provide the person
12 with a written rejection letter, sent by registered mail, stating what
13 evidence was reviewed and why the home health agency rejected the
14 person.

15 (2) No home health agency shall use, distribute or disseminate any
16 record of arrest that did not result in conviction or any record of
17 conviction that has been erased of a person seeking employment with
18 the home health agency to determine the person's suitability for the
19 position of employment sought."

20 After the last section, add the following and renumber sections and
21 internal references accordingly:

22 "Sec. 501. Section 20-678 of the general statutes is repealed and the
23 following is substituted in lieu thereof (*Effective October 1, 2010*):

24 (a) Each homemaker-companion agency shall require that any
25 employee of such agency hired on or after October 1, 2006, submit to a
26 comprehensive background check. In addition, each homemaker-
27 companion agency shall require that any employee of such agency
28 hired on or after October 1, 2006, complete and sign a form which
29 contains questions as to whether the current or prospective employee
30 was convicted of a crime involving violence or dishonesty in a state
31 court or federal court in any state; or was subject to any decision
32 imposing disciplinary action by a licensing agency in any state, the
33 District of Columbia, a United States possession or territory or a
34 foreign jurisdiction. Any employee of a homemaker-companion

35 agency hired on or after October 1, 2006, who makes a false written
36 statement regarding such prior criminal convictions or disciplinary
37 action shall be guilty of a class A misdemeanor.

38 (b) (1) No homemaker-companion agency shall deny employment
39 to any person solely because of a prior conviction of a crime, unless the
40 homemaker-companion agency determines that such person is not
41 suitable for the position of employment sought based on a review by
42 the homemaker-companion agency of (A) the nature of the crime and
43 its relationship to the position for which the person has applied, (B)
44 information pertaining to the degree of rehabilitation of the person,
45 and (C) the time elapsed since the conviction or the person's release
46 from prison. If a homemaker-companion agency denies employment
47 to a person because of a prior conviction of a crime, the homemaker-
48 companion agency shall provide the person with a written rejection
49 letter, sent by registered mail, stating what evidence was reviewed and
50 why the homemaker-companion agency rejected the person.

51 (2) No homemaker-companion agency shall use, distribute or
52 disseminate any record of arrest that did not result in conviction or any
53 record of conviction that has been erased of a person seeking
54 employment with the homemaker-companion agency to determine the
55 person's suitability for the position of employment sought."