



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Assembly Bill 987

**Assembly
Amendment 1**

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Under *current law*, an entity that is covered by the caregiver background law must require its caregivers and nonclient residents to complete a background information form every four years. For caregivers who are licensed, issued a certificate of approval, certified, or registered, by the Department of Health and Family Services (DHFS), for nonclient residents, and for other persons specified by DHFS by rule, the entity is required to send the background information form to DHFS.

Assembly Bill 987 states that an entity need not require its caregivers to complete the background information form every four years if the entity requires its caregivers to disclose to it any criminal charges issued against the caregiver or any conviction of the caregiver. The entity must notify its caregivers annually of this disclosure requirement. A caregiver who fails to report a criminal charge or conviction as required under a disclosure policy may be required to forfeit not more than \$1,000 and may be subject to other sanctions specified by DHFS by rule.

Assembly Amendment 1 states that an entity need not require caregivers to complete the background information form every four years if the entity requires caregivers to disclose to the entity, in writing, all of the information requested on the background information form. The entity must notify its caregivers annually of this disclosure requirement. Under the amendment, this alternative to completing the background information form every four years does not apply to caregivers who are licensed, issued a certificate of approval, certified, or registered, by DHFS, to nonclient residents, and to other persons specified by DHFS by rule, for whom the entity must send the background information form to DHFS.

Legislative History

On February 28, 2006, the Assembly Committee on Health recommended adoption of Assembly Amendment 1, and passage of the bill as amended, both by votes of Ayes, 12; Noes, 0.

RNS:rv