

State of Misconsin 2007 - 2008 LEGISLATURE

## 2007 SENATE BILL 393

January 17, 2008 – Introduced by Senators CARPENTER, ROESSLER, SCHULTZ, LASSA, OLSEN, LEHMAN, A. LASEE, PLALE, DARLING, KREITLOW and COGGS, cosponsored by Representatives RHOADES, ALBERS, KERKMAN, TURNER, NERISON, JESKEWITZ, BALLWEG, A. OTT, GUNDERSON, MUSSER, A. WILLIAMS, BIES, CULLEN, TOWNSEND, MURSAU, SINICKI, MURTHA, HRAYCHUCK, PETROWSKI and KLEEFISCH. Referred to Committee on Public Health, Senior Issues, Long Term Care and Privacy.

1 AN ACT to renumber and amend 50.065 (3) (b); and to create 50.065 (2) (e) and 2 50.065 (3) (b) 2. of the statutes; relating to: background checks for personal 3 care workers.

## Analysis by the Legislative Reference Bureau

Under current law, an entity that provides direct care or treatment services must obtain certain background information regarding prospective caregivers. The background information includes criminal history and history of child abuse or neglect, abuse or neglect of a client, misappropriation from a client, and denial of licensing or certification to serve as a caregiver entity. Every four years the entity must obtain updated background information regarding its caregivers.

This bill provides that a personal care worker agency that employs or contracts with a caregiver to work in a private residence must disclose to the client, or to his or her guardian, any information the agency obtains concerning the caregiver's criminal history or history of child abuse or neglect, abuse or neglect of a client, misappropriation from a client, or denial of licensing or certification to serve as a caregiver entity. The bill also requires personal care worker agencies to obtain updated background information regarding its caregivers every two years.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2007 - 2008 Legislature

## **SENATE BILL 393**

1	<b>SECTION 1.</b> 50.065 (2) (e) of the statutes is created to read:
2	50.065 (2) (e) A personal care worker agency that employs or contracts with a
3	caregiver to serve as a personal care worker in a private residence shall disclose to
4	the client, or to his or her guardian, information regarding the caregiver that is
5	obtained by the personal care worker agency under par. (b) 1., 2., 4., or 5. or (bb).
6	<b>SECTION 2.</b> 50.065 (3) (b) of the statutes is renumbered 50.065 (3) (b) 1. and
7	amended to read:
8	50.065 (3) (b) 1. Every Except as provided in subd. 2., every 4 years or at any
9	other time within that period that an entity considers appropriate, the entity shall
10	request the information specified in sub. (2) (b) 1. to 5. for all caregivers of the entity.
11	<b>SECTION 3.</b> 50.065 (3) (b) 2. of the statutes is created to read:
12	50.065 (3) (b) 2. A personal care worker agency shall request the information
13	specified in sub. (2) (b) 1. to 5. for all personal care workers of the agency every 2 $$
14	years.
15	(END)

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## (END)