



Background Checks- *Does the state require background checks on applicants or employees in certain jobs?*

Federal Law- Background checks are useful for employers in hiring and promoting the most qualified people because they provide insight into an employee’s general character and suitability for a particular position. Further, background checks can help identify and screen out those candidates who have given inaccurate information on employment applications or who might present a risk of violence or theft in the workplace. There are certain basic rules employers should follow. During the hiring process, background checks should be limited to only those applicants who have received a conditional offer of employment (conditioned on successful completion of the background check and any other preemployment screening). In addition, they should be conducted on a selective basis; if background checks are conducted for a particular position, then all applicants who receive a conditional offer of employment for that position should be subjected to the same checks. When employers hire a third party to conduct a background check, or obtain reports from outside agencies, they are subject to the Fair Credit Reporting Act. Under the Act, credit reporting and other investigative agencies may provide background financial and personal information to an employer about an employee or applicant for a permissible “employment purpose,” which is defined as for “the evaluation of an individual for employment, promotion reassignment, or retention.” Employers must notify applicants/employees and obtain their consent before ordering a background check, and provide notice before taking an adverse employment action based on the results. Federal law requires federal agencies, federal facilities, and facilities under federal contract to conduct preemployment criminal background checks (via fingerprinting, see below) on all applicants seeking employment as a childcare service worker. There is no federal law that expressly prohibits employers from inquiring about an applicant’s discharge from military service. However, the Equal Employment Opportunity Commission (EEOC) takes the position that relying on the type of military discharge may be discriminatory. Information sought in a background check should be job-related, must be kept confidential, and should only be distributed to the appropriate human resources manager or the hiring manager. All records should be kept under lock and key at all times.

State	Requirements	Citation
AL	Background checks are required for jobs with licensed child care or adult care facilities.	Ala. Code §§38-13-1 <i>et seq.</i>
AK	Background checks are required for teachers, school bus drivers, and those who will have contact with individuals served by ambulatory surgical centers, assisted living homes, child-care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices, hospitals, intermediate care facilities for the mentally retarded,	Teachers: AS 14.20.020. School bus drivers: AS 28.15.046. Dept. of Health and Social Services: AS 47.05.300 -.390, agencies listed in AS 47.32.010.

	<p>maternity homes, nursing facilities, residential child-care facilities, residential psychiatric treatment centers, rural health clinics, and runaway shelters. Background checks are also required for any individual or program that is subject to licensing or certification by the Alaska Department of Health and Social Services, or that is eligible to receive payments from the Department.</p>	
<p>AZ</p>	<p>Background checks are required on teachers and noncertified school staff; law enforcement officers; judicial employees; school bus drivers; funeral directors, embalmers, and cremationists; massage therapists; residential health care employees; child care personnel and other employees dealing with children; employees of domestic violence shelters; referees, judges, matchmakers, promoters, boxing managers involved in boxing matches, and taxi drivers.</p>	<p>Teachers and noncertified staff: A.R.S. §§15-501 and 15-512. Juvenile probation officers: A.R.S. §8-322(G). Funeral personnel: A.R.S. §32-1339. Massage therapists: A.R.S. §32-4222. Residential health care: A.R.S. §36-411. Child care personnel: A.R.S. §36-883.02. Juvenile correction department personnel: A.R.S. §41-2814. Boxing match personnel: A.R.S. §5-228. Others working with children: A.R.S. §36-425.03, §36-897.03, §41-1964, and §46-141. Domestic violence shelter employees: A.R.S. §36-3008. School bus drivers: A.R.S. §28-3228(D). Judicial employees: A.R.S. §12-102. Taxi drivers: A.R.S. §41-2097.</p>
<p>AR</p>	<p>Background checks are required for teachers and school personnel, auctioneers, bail bondsmen, licensed professional counselors, nurses, pharmacists, psychologists, social workers, persons caring for the elderly, persons caring for disabled adults, owners and operators of child care facilities, persons having direct contact with children and mentally ill and developmentally disabled persons, and all providers defined in 20-38-101. Additional persons subject to background checks: (1) every person applying for a license or renewal of a license issued by the Arkansas State Medical Board; (2) applicants for Arkansas Development Finance Authority; (3) applicants for new or reinstated licenses for certified public accountant; (4) licensed real estate agents; (5) emergency medical technicians; (6) employees of state agencies in a designated financial or information technology position; and (7) applicants to the Arkansas Board of Massage Therapy; applicants for a new or reinstated license as a loan officer, mortgage banker, mortgage broker, or mortgage servicer.</p>	<p>Teachers, educators, nonlicensed school district staff, school district fiscal officers, student teachers, and employees of more than one school district: Ark. Code Ann. §§6-17-410, 411, 414, 415, 416, 417, 421. Auctioneers: Ark. Code Ann. §17-17-312. Bail bondsmen: Ark. Code Ann. §17-19-203. Licensed professional counselors: Ark. Code Ann. §17-27-301; 17-27-313. Nurses: Ark. Code Ann. §17-87-312. Pharmacists: Ark. Code Ann. §17-92-317. Psychologists & psychological examiners: Ark. Code Ann. §17-97-302 and 17-97-312. Social workers: Ark. Code Ann. §17-103-307. Persons caring for the elderly: Ark. Code Ann. §20-33-213. Persons caring for disabled adults: Ark. Code Ann. §20-48-812. Licensees and employees of child care facilities: Ark. Code Ann. §20-78-606. Persons having direct contact with children and mentally ill and developmentally disabled persons: Ark. Code Ann. §21-15-102. Medical license: Ark. Code Ann. §17-95-306. Finance Authority: Ark. Code Ann. §15-5-214. CPA: Ark. Code Ann. §17-12-303. Real estate agents: Ark. Code Ann. §17-42-315. EMS/EMT: Ark. Code Ann. §20-13-1101 <i>et seq.</i> State financial or information technology: Ark. Code Ann. §§21-15-111, 112, and 113. Public officers & employees: Ark. Code Ann. §§21-15-103, 104. Employees of health care service providers: Ark. Code Ann. §20-38-101 <i>et seq.</i> (Service provider means DHS Developmental Disabilities Services and their early intervention program providers; child care facilities; church-exempt child care facilities as recognized under Ark. Code Ann. §20-78-209; home health care service; hospice programs; long-term care</p>

		<p>facilities; nonprofit community programs under Ark. Code Ann. §20-48-101.)Insurance agents and producers: Ark. Code Ann. §23-66-513. Employees of child care service provider: Ark. Code Ann. §§20-78-601-606, 20-38-101. (Service provider means DHS Developmental Disabilities Services and their early intervention program providers; child care facilities; church-exempt child care facilities as recognized under 20-78-209; home health care service; hospice programs; long-term care facilities; nonprofit community programs under 20-48-101.)Persons authorized to manufacture and produce driver's licenses and identity cards: Ark. Code Ann. §27-16-110.Private investigators and private security agencies: Ark. Code Ann. §17-40-327.Loan officers, mortgage bankers, mortgage brokers, and mortgage servicers: Ark. Code Ann. §23-39-505.Massage therapists: Ark. Code Ann. §17-86-203.</p>
<p>CA</p>	<p>Background checks are required of licensed employers providing daycare for children, residential care for the elderly, or community care to keep them from employing anyone that has violated the licensing laws or is engaged in conduct or been convicted of a crime that endangered the health, morals, welfare, or safety of the citizens of California or the people served by those employers. Also, employers may ask the California Department of Justice for conviction records relating to sex or drug crimes or crimes of violence of an applicant or volunteer for a job that involves supervising or disciplining minors if the prospective employer furnishes a copy of the applicant's fingerprints. Employers that obtain an "investigative consumer report" (a report in which the individual's character, general reputation, personal characteristics, or mode of living is obtained through any means other than personal interviews only) from an "investigative consumer reporting agency" or that conduct background investigations using public records must comply with the procedural requirements under the California Investigative Consumer Reporting Agencies Act. Also, if the employer obtains reports regarding the applicant's credit from a "consumer credit reporting agency," then the requirements under the California Consumer Reporting Agencies Act must be followed. However, Labor Code 1024.5 prohibits employers, with the exception of certain financial institutions, from obtaining a consumer credit report for employment</p>	<p>Cal. Health & Safety Code §1558, Cal. Penal Code §11105.3, Cal. Civ. Code §1785.1-1785.35 and 1786-1786.56, Cal. Lab. Code §1024.5.</p>

	<p>purposes except for certain specified positions.</p>	
<p>CO</p>	<p>Daycare workers: Child-care facility owners, applicants, licensees, and any adults who reside in a licensed child-care center are required to obtain a fingerprint-based criminal history check through the Colorado Bureau of Investigation. School employees: Teachers, principals, and school administrators are required as part of the state licensing process to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Mortgage brokers: Mortgage brokers are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Massage therapists: Massage therapists are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Private occupational school instructors: Private occupational school instructors are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Assisted living residence owners and administrators: Assisted living residence owners and administrators are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Bail bondsmen/cash bail agents/bail recovery agents: Bail bondsmen, cash bail agents, and bail recovery agents licensed by the state are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Bail bondsmen licensed by the state to bond someone out of jail are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Attorneys: Attorneys and bar applicants are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Pharmacists: Pharmacists are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Licensed camp employees: Licensed camp employees are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Foster care employees: Foster care employees are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation, and the Federal Bureau of</p>	<p>Daycare workers: C.R.S. §26-6-107. School employees: C.R.S. §22-60.5-103.; C.R.S. §22-32-109.9; C.R.S. §22-32-109.8; C.R.S. §§22-1-121; 22-32-109.7; 22-30.5-110.5; 22-30.5-511.5. Mortgage brokers: C.R.S. §12-61-903(2)(a). Massage therapists: C.R.S. §12-35.5-107. Private occupational school instructors: C.R.S. §12-59-105.7. Assisted living residence owners and administrators: C.R.S. §25-27-105. Bail bondsmen/cash bail agents/bail recovery agents: C.R.S. §12-7-103. Attorneys: C.R.C.P. §201.6. Pharmacists: C.R.S. §12-42.5-304. Licensed camp employees: C.R.S. §26-6-107. Foster care employees: C.R.S. §26-6-107; C.R.S. §26-6-104. Ski area childcare: C.R.S. §26-6-103.5. Emergency medical technicians: C.R.S. §25-3.5-203. Gaming equipment contractors: C.R.S. §24-35-205. Home care agency owners, applicants, licensees, or employees: C.R.S. §25-27.5-106; 25-27.5-107. Licensed insurance brokers: C.R.S. §10-3-803. Lottery commission: C.R.S. §24-35-206. Money transmitters: C.R.S. §12-52-106. Racing commission: C.R.S. §12-60-503. Licensed real estate employees: C.R.S. §12-61-103; C.R.S. §12-61-110. Security guards: C.R.S. §24-33.5-415.4. Medical and retail marijuana centers (sellers), marijuana-infused product manufacturers, medical marijuana premise cultivators: C.R.S. §§12-43.3-202; 12-43.3-307(2)(a)-(c); 12-43.3-501(3)(c); 12-43.4-202; 12-43.4-304. Negligent hiring: <i>Connes v. Molalla Transp. Sys. Inc.</i>, 831 P.2d 1316, 1322 (Colo. 1992). Neighborhood youth organization employees and volunteers: C.R.S. §26-6-103.7.</p>

<p>Investigation for those who apply after August 10, 2011. Ski area childcare: Ski area childcare employees are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation and the Federal Bureau of Investigation for those who apply after August 10, 2011. Emergency medical technicians: Emergency medical technicians are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Gaming equipment contractors: Gaming equipment contractors are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Home care agency owners, applicants, licensees, or employees: Home care agency owners, applicants, licensees, and employees are required as part of the state licensing process to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Lottery commission: Lottery Commission employees are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Money transmitters: Owners, principal shareholders, principal members, directors, trustees, officers, and managing officials for money transmitters must submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Neighborhood youth organization employees and volunteers: Employees and volunteers of neighborhood youth organizations shall be required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation to determine whether the individual has been convicted of felony child abuse or a felony involving unlawful sexual behavior. Racing commission: Racing Commission employees are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Real estate employees: Licensed real estate employees are required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Security guards: Security guards may be required to submit to a fingerprint-based criminal history check through the Colorado Bureau of Investigation. Medical and retail marijuana centers (sellers), marijuana-infused</p>	
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	<p>product manufacturers, medical marijuana premise cultivators: State Licensing Authority shall conduct background checks on medical and retail marijuana sellers, manufacturers, or cultivators applying for state license. Negligent hiring: Employers may be liable for negligent hiring if they knew or should have known that an employee “would create an undue risk of harm to others in carrying out his or her responsibilities.” Thus, employers may be held liable for negligent hiring for failing to run a background check on certain employees.</p>	
CT	<p>Background checks are required on (1) judicial marshals; (2) school personnel and applicants; (3) school bus operators; (4) licensed child care or day care facility employees; (5) licensed family day care homes; (6) licensing of persons for child placement; (7) applicants for casino gaming licenses (Mohegan Tribe); (8) applicants for casino gaming license (Mashantucket Pequot Tribe); (9) applicants to the division of special revenue and gaming policy board; (10) correctional personnel; (11) applicants to a nursing home; (12) private detectives; (13) retail store employees who sell firearms; and (14) Board of Parole personnel.</p>	<p>Judicial marshals: Conn. Gen. Stat. §6-32g. Schools: Conn. Gen. Stat. §10-221d. School buses: Conn. Gen. Stat. §14-44. Licensed child care facilities: Conn. Gen. Stat. §19a-80. Licensed family day care homes: Conn. Gen. Stat. §19a-87b. Child placement: Conn. Gen. Stat. §17a-114. Casino gaming licenses (Mohegan Tribe): Conn. Gen. Stat. §12-586g. Casino gaming licenses (Mashantucket Pequot Tribe): Conn. Gen. Stat. §12-586f. Special revenue and gaming policy board: Conn. Gen. Stat. §12-559. Correctional personnel: Conn. Gen. Stat. §18-81l. Nursing homes: Conn. Gen. Stat. §19a-491b. Private detectives: Conn. Gen. Stat. §29-155. Retail employees selling firearms: Conn. Gen. Stat. §29-37f. Board of Parole: Conn. Gen. Stat. §54-124d.</p>
DE	<p>Background checks are required on Department of Correction personnel, applicants to child-care providers, applicants to health care facilities, child-care facilities, public schools, school bus drivers, nursing home workers, and home health agencies. Public-sector employers may not inquire about criminal histories and credit scores on applications.</p>	<p>Department of Correction: 11 Del. C. §6506 and 11 Del. C. §6531A. Child-care providers: 11 Del. C. §8561. Health care facilities, child-care facilities, and public schools: 11 Del. C. §§8563 and 8571. School bus drivers: 14 Del. C. §2901. Nursing home workers: 16 Del. C. §1141. Home health agencies: 16 Del. C. §1145. Public school-related employment: 11 Del. C. §§8570-8572.</p>
DC	<p>Health care: Health care and community residence facilities, hospices, and home care facilities are required to conduct background checks on all prospective employees and prospective contract workers before being hired or contracted. Records received by the facilities must be kept confidential and destroyed after one year from the end of employment. The facilities may not employ or contract with any unlicensed person who within the seven years preceding the background check has been convicted in D.C. or any other state or territory of certain offenses, including murder, attempted murder, manslaughter, arson, robbery, rape, sexual assault, sexual battery, sexual abuse, child abuse, or</p>	<p>Health care: D.C. Code §§44-107.01 and 44-552. Firefighting: D.C. Code §5-409.01(a)(3). Education: D.C. Mun. Regs. tit. 5, §§1001.8 -1001.11. Child and Youth, Safety and Health Omnibus Amendment Act of 2004: D.C. Code §4-1501.01 through 4-1501.11. Mortgage brokers and loan officers: D.C. Code §26-1103. Department of Corrections: D.C. Code §24-211.41.</p>

	<p>distribution or possession with intent to distribute a controlled substance. Facilities may not employ or contract an unlicensed person whose name appears on the Nurse Aide Abuse Registry.Firefighters: Applicants and employees are required to submit to a criminal background check.Education: Criminal history record checks are required for prospective employees and employees up for promotions in the D.C. Public Schools; only criminal convictions and pending charges may be considered. Employees involved in processing or maintaining criminal history record checks must have undergone such checks before assuming such responsibilities. All criminal history record checks and follow-up background investigation documentation shall be confidential.Child and Youth Services: Applicants, employees, and volunteers of D.C. agencies that provide direct services to children and youth, and the Child Support Enforcement Division of the Office of Corporation Counsel are required to submit to criminal background checks.Mortgage brokers and loan officers: Individuals seeking to engage in business as a mortgage banker, mortgage lender, or loan officer must submit to a criminal records search. Department of Corrections: The Department of Corrections is compelled by statute to conduct criminal background checks on all Department employees once every two years.</p>	
FL	<p>The negligent hiring statute states that employers are presumed not to have been negligent in hiring an employee who causes the death, injury, or damage of another if the employer conducted a background investigation before hire and the investigation didn't reveal information that reasonably demonstrated the unsuitability of the prospective employee. Also, the Lunsford Act includes language referring to background checks of noninstructional school district employees and contractors. School districts must meet "level 2 screening requirements" already in place. State agencies can designate positions that, because of special trust or responsibility or sensitive location, require security background investigations.</p>	<p>FSA §§768.096, 1012.465, 110.1127, 435.01 <i>et seq.</i></p>
GA	<p>Background checks are required for law enforcement personnel, nursing home workers, health care employees, security guards, public school employees, and certain employees in the mortgage</p>	<p>Law enforcement: O.C.G.A. §35-8-8. Nursing home workers: O.C.G.A. §§31-7-350 through 31-7-354. Health care employees: O.C.G.A. §31-7-259. Security guards and private detectives: O.C.G.A. §§43-38-7, 43-38-</p>

	<p>industry. Effective July 1, 2014, a new law (SB 365) was passed that offers improved liability protection for employers that hire ex-offenders who have successfully completed a Department of Corrections pre-release program while incarcerated, or who have been granted a pardon from the State Board of Pardons and Paroles. The new law creates a "Program and Treatment Completion Certificate" (PTCC) under O.C.G.A. §51-1-54 and provides that the issuance of a PTCC "shall create a presumption of due care in hiring, retaining, licensing, leasing to, admitting to a school or program, or otherwise engaging in activity with" a person who receives the PTCC or is granted a pardon. However, the law further states that "[s]uch presumption may be rebutted by relevant evidence which extends beyond the scope of the [PTCC] or pardon and which was known or should have been known by the person against whom negligence is asserted." O.C.G.A. §51-1-54(b). The law excludes any offender who was convicted of murder or felony murder, armed robbery, kidnapping, rape, aggravated child molestation, aggravated sodomy, and/or aggravated sexual battery from eligibility for the Certificate.</p>	<p>6. Public school employees: O.C.G.A. §20-2-211.1. Certain employees in the mortgage industry: Every mortgage broker and mortgage lender licensee, registrant, and applicant is required to obtain background checks on covered employees which include those employees who physically work in the state of Georgia and who may enter, delete, or verify any information on any mortgage loan application form or document. O.C.G.A. §7-1-1004(k); Ga. Comp. R. & Regs. r. 80-11-1-.05. PTCC: O.C.G.A. §51-1-54.</p>
<p>HI</p>	<p>State government, its branches, political subdivisions, and agencies must obtain criminal history information on applicants for jobs that have contact with children, dependent adults, or persons committed to a correctional facility. The Department of Education, including the state public library system, is required to obtain verifiable information regarding the criminal history of persons who are employed or seeking employment in any position, including teacher trainees, that places them in close proximity to children. The Department of Health must obtain verifiable information regarding the criminal history with respect to employees, providers, or subcontractors in jobs that place them in direct contact with clients when providing nonwitnessed direct mental health services on behalf of the Child and Adolescent Mental Health Division. The judiciary must obtain verifiable information regarding the criminal history with respect to employees of detention facilities. The Department of Transportation must obtain verifiable information regarding the criminal history with respect to persons hired to provide armed security services at airports.</p>	<p>Public officers, employees: HRS §78-2.7. Department of Education: HRS §302A-601.5. Department of Health: HRS §321-171.5. Judiciary: HRS §571-34. Department of Transportation: HRS §261-17. Developmental disabilities domiciliary homes: HRS §333F-22. Correctional facilities: HRS §353C-5. Private schools: HRS §302C-1. Detective, security guard agencies: HRS §463-6(b). Youth correctional facilities: HRS §352-5.5. Certain county employees: HRS §846-2.7.</p>

	<p>The Department of Health must obtain verifiable information regarding the criminal history with respect to providers (and their employees) of developmental disabilities domiciliary homes. Private schools must obtain verifiable information regarding the criminal history of persons who are employed or are seeking employment in jobs that place them in close proximity to children. Detective agencies and security guard agencies must obtain verifiable information regarding the criminal history of applicants to make sure they haven't been convicted in any jurisdiction of a crime that reflects unfavorably on the fitness of the employee. The Department of Human Services must obtain verifiable information regarding the criminal history of staff members of the state youth correctional facilities. Furthermore, counties may conduct criminal history checks on prospective liquor commission employees, prospective employees working with vulnerable adults or seniors, employees for fire department and emergency medical service positions, and emergency management employees.</p>	
<p>ID</p>	<p>The Department of Education must obtain a criminal background check on certificated and noncertificated employees, all applicants for certificates, substitute staff, individuals involved in other types of student training such a practicums and internships, and all other individuals who have unsupervised contact with students in a K-12 setting. Also, providers of personal care services for Medicaid-eligible participants must conduct health and background checks on any personal assistant acting as an employee, agent, or contractor. The director of the Idaho State Lottery, through the security division, must perform criminal history checks on its employees, lottery retailers, bingo and raffle operators, vendors, and procurement contractors. A mandatory criminal history check is required for Department of Health and Welfare employees, volunteers, student interns, and any other persons who have direct contact with children or vulnerable adults as defined in Idaho Code §39-5302(10).A mandatory criminal history check is required for nurse license applicants. The Real Estate Appraiser board requires new applicants to submit to a criminal history check.</p>	<p>Department of Education: Idaho Code §33-130. Personal assistants: Idaho Code §39-5604. State lottery: Idaho Code §67-7410.Department of Health and Welfare: IDAPA 16.05.06.Nurse license applicants: Idaho Code §54-1404(3). Real estate appraiser applicants: Idaho Code §54-4106(j).</p>
<p>IL</p>	<p>Background checks are required on health care workers, park district employees, Department of Children and Family</p>	<p>Health care workers: 225 ILCS 46/15 <i>et seq.</i> Park district employees: 70 ILCS</p>

	<p>Services employees (including mandatory check of statewide sex offender and child abuse and neglect databases), armed security guards, private detectives, private security contractors, private alarm contractors, locksmiths, firefighters (upon request by chief or board of trustees), peace officers, child-care facility employees and volunteers, school bus drivers, public school district employees (including substitute teachers) and state-recognized non-public school employees (includes mandatory check of statewide sex offender database), state mental health facility employees, providers of state-approved early intervention services to children, carnival workers (includes mandatory check of national sex offender registry), and employees of secure residential youth care facilities.</p>	<p>1205/8-23. Department of Children and Family Services employees: 20 ILCS 505/5(z). Armed security guards: 68 ILAC 1240 <i>et seq.</i> Private detectives, private security contractors, private alarm contractors, locksmiths: 225 ILCS 447/35-30. Firefighters: 20 ILCS 2605/2605-330. Peace officers: 50 ILCS 705/10.2. Child-care facilities: 225 ILCS 10/4.1. School bus drivers: 625 ILCS 5/6-106.1. School district employees: 105 ILCS 5/10-21.9. State-recognized non-public school employees: 105 ILCS 5-2/3.25o. Mental health facilities: 20 ILCS 1705/4.2. Early intervention services to children: 325 ILCS 20/10. Secure residential youth care facilities: 730 ILCS 175/45-25. Carnival workers: 430 ILCS 85/2-20.</p>
<p>IN</p>	<p>Background checks are or can be required for hazardous material drivers, applicants for a loan broker license, applicants for various child-care licenses, applicants for certain licensed health professions, wholesale drug distributors, applicants for foster and group homes, applicants for a real estate appraiser license, teachers obtaining or renewing their licenses, state lottery commission employees, and gaming commission employees. Spouses and household members of child care home operators (who are over 18 years of age or have been previously waived from juvenile to adult court) must also submit to background checks.</p>	<p>State Lottery Commission: I.C. §4-30-6-4. Hazardous material driver: I.C. §9-24-6.5-6. Child care: I.C. §§12-17.2-4-3; 20-26-5-10; 31-27-6-2; 31-27-3-3. Spouses and household members of child care home operators: I.C. §12-17.2-2-1(2)(C). Foster/Group homes: I.C. §§31-27-4-5; 31-27-5-4. Wholesale drug distributor: I.C. §25-26-14-16. Home health/personal service agencies: I.C. §16-27-2-4. Licensed health professionals: I.C. §25-1-1.1-4. Teachers: I.C. §20-26-5-1. Loan brokers: I.C. §23-2-5-4. Indiana Gaming Commission: I.C. §4-33-4-18. Real estate appraisers: I.C. §25-34.1-8-10.</p>
<p>IA</p>	<p>Background checks are required for police officers, state institutional employees, lottery employees, health and child care providers, and other select public employees.</p>	<p>Law enforcement: Iowa Admin. Code r. 501-2.1 (5). Institutional employees: Iowa Code §218.13. Lottery: Iowa Code §99G.10(8). Health care providers: Iowa Code 135C.33. Child care providers: Iowa Code 237A.5.</p>
<p>KS</p>	<p>Background checks are required on applicants for jobs in certain positions with the state Department of Credit Unions, adult care homes for incapacitated and dependent persons, home health agencies, state troopers or other law enforcement positions, certain state lottery personnel, employees of the pari-mutuel racing commission, employees of the state gaming agency, security-sensitive employees of the Department of Administration, certain personnel of the state banking department, certain personnel on the joint committee on Kansas security, persons living, working, or volunteering at a day care, child care center,</p>	<p>Department of Credit Unions: Kan. Stat. Ann. §17-2234(d). Adult care homes: Kan. Stat. Ann. §39-970(d). Home health agencies: Kan. Stat. Ann. §65-5117(d). State troopers: Kan. Stat. Ann. §74-2113(c). Law enforcement: Kan. Stat. Ann. §74-5605(b)-(d). State lottery: Kan. Stat. Ann. §74-8704(a)(9) and 74-8769. Pari-mutuel racing commission: Kan. Stat. Ann. §74-8804(n)-(o). Gaming agency: Kan. Stat. Ann. §74-9805 (l)-(m)(1). Department of Administration: Kan. Stat. Ann. §75-3707e. Banking Department: Kan. Admin. Reg. §17-20-1. Commission on Veterans Affairs: Kan. Stat. Ann. §73-1210a (b)-(c). State fair: Kan. Stat. Ann. §2-205(a)(3)(B). Joint Committee on Kansas Security:</p>

	<p>or preschool, personnel of the office of laboratory services of the Kansas Department of Health and Environment, and certain personnel of the state commission on veterans affairs. In addition, the state fair board may conduct background checks to identify registered offenders prior to hiring employees to work at the state fair.</p>	<p>Kan. Stat. Ann. §46-3301(b). Department of Health and Environment: Kan. Stat. Ann. §65-516; Kan. Stat. Ann. §75-5609a; Kan. Admin. Reg. §§28-4-805; 28-4-1205; 28-4-705; 28-4-351; 28-4-584.</p>
<p>KY</p>	<p>Police: Criminal background checks are required. Public schools: All new certified hires and student teachers must submit to national and state criminal background checks by the Kentucky State Police and the FBI. All classified initial hires must submit to a state criminal background check by the state police. Any person hired as an athletic coach, who is nonteaching, not certified, or without post-secondary education credits, must submit to a criminal background check. Excluded are certified individuals who were employed in another certified position in a Kentucky school district within six (6) months of the date of hire and who had previously submitted to a national and state criminal background check for the previous employment. If any initial hire has been a resident of Kentucky for 12 months or less, the superintendent may require a national criminal background check as a condition of employment. The superintendent may require a contractor, volunteer, or visitor to submit to a national and criminal history background check by the Kentucky State Police and the FBI. In addition, a school-based decision making council parent member shall submit to a criminal background check by the state police and the FBI. Public post-secondary institutions: Criminal background checks are mandatory for all initial hires and a public post-secondary institution may require background checks on contractors, employees of contractors, volunteers, or visitors. Private, parochial, or church schools: Schools that have been voluntarily certified by the Kentucky Board of Education may require a national and state criminal background check on all new certified hires in the school and student teachers assigned to the school and may require a new national and state criminal background check on each certified teacher once every five years of employment. Personal Services Agency: Any applicant for a Personal Services Agency, as defined under KRS §216.710, must submit to a criminal background check.</p>	<p>Police: KRS §15.382. Public schools: KRS §§160.380, 156.070, 160.345. Public post-secondary institutions: KRS §164.281. Private, parochial, or church schools: KRS §160.151. Personal Services Agency: KRS §216.712. Drivers: KRS §281A.070. Employees of long-term care facilities: KRS §216.533. Professional solicitors: KRS §367.652. Private investigators: KRS §329A.015. Home inspectors: KRS §198B.712; KRS §198B.722; as amended by 2011 KY Laws Ch. 100 (HB 250); 815 KAR §6:010. Deception detection examiners: KRS §329.030. CDL driver training instructors: KRS §165A.465. Elevator contractors: KRS §198B.4011. Participants in live racing with pari-mutuel wagering: KRS §230.260, as amended by 2011 KY Laws Ch. 70 (HB 387); KRS §§230.300, 230.310, 230.3751. Mine inspectors: KRS §351.090. Nurses or dialysis technicians: KRS §314.103. Mortgage loan brokers: KRS §286.8-255. Child care facilities: KRS §199.896(19). Secondary metals recyclers: KRS §§433.900, 433.902.</p>

	<p>Drivers: All who apply to be commercial motor vehicle drivers must provide the employer, at the time of application, with the following information for the 10 years preceding: names and addresses of previous employers for which the applicant was a driver of a commercial motor vehicle, dates during which the applicant drove for each employer, the reason for leaving that employer, and a certification that all information furnished is true and complete.</p> <p>Employees of long-term care facilities: Criminal background checks for each applicant recommended for employment in facilities owned, managed, or operated by the state. Out of state criminal background checks shall be obtained for any applicant recommended for employment who has resided or been employed outside of the Commonwealth.</p> <p>Other professions where background checks are required to obtain a license: Professional solicitors and fundraising consultants, private investigators, home inspectors, deception detection examiners, CDL driver training instructors, elevator contractors, participants in live racing with pari-mutuel wagering, mine inspectors, secondary metals recyclers, and nurses or dialysis technicians.</p> <p>Child care facilities: Background checks are required of directors and employees in positions with supervisory or disciplinary power over a minor, or direct contact with a minor.</p> <p>Mortgage loan broker: Background checks may be required when applying for, or renewing a license.</p>	
<p>LA</p>	<p>Employers in the insurance business are required to find out if applicants have any felony convictions. In fact, the Louisiana Commissioner of Insurance may fine or suspend the license of an insurance business if it knew or should have known that an individual licensee has been convicted or pleaded nolo contendere to any felony and didn't seek the written consent of the commissioner of insurance to work in the insurance business. Also, background checks are required for family child day care homes and employees of the state Department of Social Services who are charged with investigating child abuse. Employers of ambulance personnel providing nursing care, health-related services, medic services, or supportive assistance to any individual shall request a criminal history check on the employee. Also, a background check shall be done on each applicant who</p>	<p>Insurance: La. Rev. Stat. Ann. §22:1700. Family child day care homes: La. Rev. Stat. Ann. §46:1441.13. Department of Social Services: La. Rev. Stat. Ann. §46:51.2. Ambulance personnel: La. Rev. Stat. Ann. §40:1300.52. Lottery corporation: La. Rev. Stat. Ann. §47:9016. Economic and Gaming Corporation: La. Rev. Stat. Ann. §27:225 <i>et seq.</i> Individuals with authority over children: La. Rev. Stat. Ann. §15:587.1. Providers of nursing care, health-related services, medic services or supporting assistance: La. Rev. Stat. Ann. §40:1300.52. Dentists: La. Rev. Stat. Ann. §37:761. Dental hygienists: La. Rev. Stat. Ann. §37:764. Peace officers: La. Rev. Stat. Ann. §40:2405.4.</p>

	<p>has reached the final selection process before he is offered employment with the Louisiana Lottery Corporation or the Louisiana Economic Development and Gaming Corporation. The background investigations include testing applicants for the presence of illegal controlled substances and fingerprints. Background checks are also required for individuals with supervisory or disciplinary authority over children and any nonlicensed person or any licensed ambulance personnel to provide nursing care, health-related services, medic services or supporting assistance to any individuals. Background checks are also required for applicants for a dental license. Background checks are also required for applicants to be licensed as a dental hygienist. Finally, the law enforcement agency shall conduct a criminal background check of any peace officer it employs after August 15, 2003.</p>	
<p>ME</p>	<p>Background checks are required for the following: Child care facilities and home day care providers must check the criminal records of the provider, staff members, and, if a home day care, of household members. The Commissioner of Agriculture, Food and Rural Resources must check all applicants and may not hire a state humane agent who has a criminal conviction for animal abuse or neglect or has a civil violation for cruelty to animals, or who has committed murder, a Class A or Class B offense, or other specific criminal offenses. Employers of private security guards must conduct background checks into their employees within 60 days of hire. The Department of Education may use state and federal criminal history records to screen educational personnel applicants "to determine whether certification, authorization, approval or renewal of educational personnel is granted or maintained." Courts, when appointing a guardian ad litem, must check the applicant's criminal history and whether the applicant has been reported to the state for abuse or neglect.</p>	<p>Child care, home day care: 22 M.R.S.A. §§8302-A, 8302-B. Humane agents: 7 M.R.S.A. §3906-B. Security guards: 32 M.R.S.A. §9410-A. Educational personnel: 20-A M.R.S.A. §6103. Guardians ad litem: M.R.G.A.L. II.</p>
<p>MD</p>	<p>Background checks are required for employees of public schools, private or nonpublic schools, licensed child care centers, registered day care homes, licensed child care homes, child care institutions, juvenile detention, correction, or treatment facilities, foster care family homes or group facilities, state or local government-operated recreation centers or programs serving minors, and day or</p>	<p>Md. Code Ann., Fam. Law §§5-560 through 5-569. Md. Code Ann., Cts. & Jud. Proc. §5-619. Md. Code Ann., Health — Gen. §19-1901 through 19-1911. Md. Code Ann., Bus. Occ. & Prof. §18-101, §§18-301 through 18-309, §§18-402 and 18-504, and §§18-3A-01, 18-3A-03 through 18-3A-09. Md. Code Ann., Bus. Occ. & Prof. §§13-401 through 13-403; 20-305; 19-304; Financial Institutions §2-104.</p>

	<p>residential day camps serving minors. Background checks are also required for employees of child care resource and referral centers, associations of registered family day care providers, and associations of licensed day care centers to the extent that the center or association maintains a pool of individuals to work as substitute or temporary employees at other covered facilities. Background checks also are required for health care employees. State law requires adult dependent care program facilities to obtain a state criminal history records check. Covered facilities include adult day cares, assisted living program facilities, group homes, home health agencies, congregate housing service programs, residential service agencies, alternative living units, hospice facilities, and related institutions. Security systems technicians, both prospective and current, must undergo state and national criminal records checks when applying for or renewing licenses or registrations. Background checks are also required for employees of private home detention monitoring agencies. Also, private detectives are required to undergo fingerprint record checks. Background checks are also required for applicants for employment by the Commissioner of Financial Regulation.</p>	
<p>MA</p>	<p>Certain employers must perform criminal background checks on individuals who provide care, treatment, education, training, transportation, delivery of meals, instruction, counseling, supervision, recreation, or other services in a home or community-based setting for the elderly or disabled or who have direct or indirect contact with the elderly or disabled or access to their files. These employers include any agencies that provide homemaker, home health aide, companion or other community-based services to the elderly or disabled in home or community-based settings; certain home care corporations; municipalities; any agency or organization that employs or refers personal care attendants; or any entity receiving federal, state, or local funds. A long-term care facility, assisted living residence, or continuing care facility that obtains criminal background information must prohibit the dissemination of such information for any purpose other than to further the protection of the elderly or the disabled. However, dissemination among and between long-term care facilities, assisted living residences, or continuing care facilities is</p>	<p>Mass. Gen. Laws ch. 6, §§172C, 172 E-I.</p>

	permitted. Employers must also perform criminal background checks on individuals who provide care in long-term care facilities, assisted living residences and continuing care facilities, work at camps for children, and work for or volunteer for an entity engaged primarily in providing programs and activities for children. Taxicab companies that provide transportation of pupils must also perform such background checks. Also, criminal background checks are required on applicants for certain public-sector positions.	
MI	Background checks are required for school bus drivers; applicants to nursing homes, county medical care facilities, or homes for the aged who have lived in the state less than three years; applicants for security business employees; and teachers, school administrators, or positions requiring state board approval.	School bus drivers: MCL §257.1853(4). Nursing homes, county medical care facilities, homes for aged: MCL §333.20173. Security businesses: MCL §338.1068. School personnel: MCL §§380.1230 and 380.1230a.
MN	Background checks are required for employees of nursing homes, home care, long-term health care, schools, passenger carriers, residential building managers, the state lottery, the Division of Alcohol and Gambling Enforcement, adult rehabilitative mental health services, and those with direct patient contact at hospitals, boarding care homes, outpatient surgical centers, and home-care agencies. A background check must also be conducted for Department of Corrections employees who will be working with children or youths, and for others, not specifically covered by statute, who work or volunteer with children.	Nursing homes and home care: Minn. Stat. §144A.62, subd. 5 and 144.057. Schools: Minn. Stat. §123B.03. Passenger carriers: Minn. Stat. §221.178. Residential building managers: Minn. Stat. §299C.68. State lottery: Minn. Stat. §349A.02. Division of Alcohol and Gambling Enforcement: Minn. Stat. §299L.01, subd. 3. Adult rehabilitative mental health services: Minn. Stat. §256B.0623, subd. 7. Hospitals: Minn. Stat. §144.057, subd. 1. Dep't of Corrections: Minn. Stat. §241.021, subd. 6. Children's workers/volunteers: Minn. Stat. §§299C.61; 299C.62.
MS	Background checks are required for employees of hospitals, nursing homes, personal care homes, and home health agencies or hospices that provide direct patient care or services; applicants for school attendance officers; current or prospective caregivers for children, operators of child care facilities, and any person living in a residence used for child care; officers, teachers, and other employees of schools; applicants for pawnbroker licenses; the licensing of foster homes, child-care agencies, and child-placing agencies; Department of Mental Health employees who provide or may provide services for children; employees who carry weapons; key employees or applicants for package retailer permits; potential special contact investigators; applicants for the Mississippi Department of Information Technology Services; and employees of gaming establishments.	Hospitals, nursing homes, personal care homes, home health agencies or hospices: Miss. Code Ann. §43-11-13. School attendance officers: Miss Code Ann. §37-13-89. Child care: Miss. Code Ann. §43-20-8. Schools: Miss. Code Ann. §§37-3-51 and 37-9-17. Pawnbrokers: Miss. Code Ann. §75-67-323. Licensing of foster homes, child-care agencies, and child-placing agencies: Miss. Code Ann. §43-15-6. Mental health employees: Miss. Code Ann. §41-4-7. Employees in facilities dealing with mental illness and retardation: Miss. Code Ann. §41-19-33. Employees carrying weapons: Miss. Code Ann. §97-37-7. Package retailers: Miss. Code Ann. §67-1-57. Special contract investigators: Miss. Code Ann. §41-29-112. Department of Information Technology Services: Miss. Code Ann. §25-53-51. Gaming: Miss Code Ann. §75-76-131(1).

MO	Certain health care employers must run criminal record checks of prospective employees who may have patient or child care responsibilities.	RSMo. §660.317.
MT	Background checks are required for public employers, <i>i.e.</i> , public communications safety officers, peace officers, reserve officers, and persons operating youth care facilities. Employers are permitted to perform background checks for all positions.	Communications safety officers: Mont. Code Ann. §7-31-202. Peace officers: Mont. Code Ann. §7-32-303. Reserve officers: Mont. Code Ann. §7-32-213. Youth care facilities: Mont. Code Ann. §52-2-622.
NE	Background checks are required in certain industries or to obtain licenses in certain industries, including public law enforcement; employment in assisted living facilities; adult day services; child care facilities; security and/or private detective agencies; social services provided to families, children, and youth; and real estate brokers and agents.	Assisted-living facilities: Neb. Rev. Stat. §71-5908; 175 N.A.C. Ch. 4, §006. Adult day services: 175 N.A.C. Ch. 5, §006. Child care and preschools: 391 N.A.C. Ch. 3, §§001-003. Real estate broker/agents: Neb. Rev. Stat. §81-885.17. Social services for families, children, and youth: 474 N.A.C. Ch. 6, §002.23C3a. Security service/private detectives: 435 N.A.C. Ch. 5, §002. Law enforcement positions: Neb. Rev. Stat. §81-1410; Neb. Rev. Stat. §23-1701.01; and 79 N.A.C. Ch. 4, §004.
NV	Background checks are required under the following circumstances: (1) Private postsecondary educational institutions must complete checks on persons applying for instructional positions or for administrative or financial positions, including school director, personnel officer, counselor, admission representative, solicitor, canvasser, surveyor, financial aid officer, or any similar job. The requirement also applies to persons who are seeking to act as agents for the institution. The requirement doesn't apply to applicants who are licensed by the Superintendent of Public Instruction, are employees of the U.S. Department of Defense, are members of the faculty of an accredited postsecondary educational institution in another state who are in Nevada for temporary periods to teach at branches of the accredited institution, are instructors who provide instruction from a location outside of Nevada through a licensed distance education program and previously underwent a background check and the Administrator determines that an additional background check is unnecessary, or who have satisfied background check requirements within the preceding five years; (2) the state and political subdivisions may but are not required to do background checks through the FBI on any person with whom it intends to enter into a relationship of employment or a contract for personal services or on any person who has applied to it to attend an academy for training peace	Postsecondary education: NRS 394.465. State government: NRS 239B.010. Medical facility employees and independent contractors: NRS 449.123; NRS 629.480. Child care facility employees: NRS 432A.175. Foster home employees: NRS 424.031.

	<p>officers approved by the Peace Officers' Standards and Training Commission; or about whom it is authorized by law to have accurate personal information for the protection of the agency or the people within its jurisdiction; (3) Nevada recognizes the tort of "negligent hiring," which imposes a duty on employers to conduct reasonable background checks on potential employees to ensure they are fit for a particular position; employers breach their duty when they hire employees even though they knew or should have known of dangerous propensities. (<i>Hall v. SSF, Inc.</i>, 112 Nev. 1392, 930 P.2d 98 (1996)). Medical facility employees and independent contractors: fingerprint-based criminal history check required. Child care facility employees: fingerprint-based criminal history check required. Foster home employees: fingerprint-based criminal history check required.</p>	
<p>NH</p>	<p>School employees and volunteers: A complete background investigation and a criminal history records check on every selected applicant for employment in any position prior to a final offer of employment. In addition, the school must adopt a policy designating certain categories of volunteers as volunteers required to undergo a background investigation and a criminal history records check. Nonpublic schools may require criminal records checks on selected applicants, employees, and volunteers. Day care providers and foster care programs: A criminal history records check and a check against the state child abuse and neglect registry must be performed for any day care provider employee, any individual residing in the household of a child day care provider which receives state funds or subsidies, or any employee of a foster care agency who is responsible for care of or is in regular contact with children. Youth recreation camps: A criminal background check is required for all staff, including the director and owner/operator. Hospital, home health, residential care, and facilities where health care is provided: A criminal history records check is required for any employee or volunteer who provides services that involve direct contact with a client, client records, or client biological material. Personal care or intermediary services authorized by DHHS: A criminal history records check is required for any applicant for employment. In addition, a check against the state adult abuse, neglect, and</p>	<p>School employees and volunteers: N.H. Rev. Stat. Ann. §189:13-a. Day care providers and foster care programs: N.H. Rev. Stat. Ann. §170-E:3, §170-E:3-a, §170-E:7, §170-E:29, §170-E:29-a; N.H. Code Admin. R. He-C 6920.04, He-C 6355.04. Youth recreation camps: N.H. Admin. Rules, Env-Wq 904.04. Hospital, home health, residential care, and facilities where health care is provided: N.H. Rev. Stat. Ann. §151:2-d, II. Personal care or intermediary services authorized by DHHS: N.H. Rev. Stat. Ann. §161-I:6-a.; §161-F:49, VII. Physicians, physician's assistants, and nurses: N.H. Rev. Stat. Ann. §329:11-a, §328-D:3-a, §326-B:15. Department of Health and Human Services: N.H. Rev. Stat. Ann. §126-A:5, XI - XII, §170-G:8-c. State Banking Department: N.H. Rev. Stat. Ann. §383:7, II. Real estate brokers and agents: N.H. Rev. Stat. Ann. §331-A:10, §331-A:10-a; N.H. Code Admin. R. Rea 301.01. Detective and security services: N.H. Rev. Stat. Ann. §106-F:6, §106-F:7. Certain retail sellers and financiers: N.H. Rev. Stat. Ann. §361-A:2, §361-A:1, VII-a. Mortgage loan servicers: N.H. Rev. Stat. Ann. §397-B:4, §397-B:1, III-V. Debt adjustment services personnel: N.H. Rev. Stat. Ann. §399-D:5, §399-D:2, IV, §399-D:2, VII-a. Money transmitters: N.H. Rev. Stat. Ann. §399-G:5, §399-G:1, XI.</p>

	<p>exploitation registry must be performed for any employee of a program licensed, certified, or funded by DHHS to provide services to individuals if the employee may have client contact. Physicians, physician's assistants, and nurses: A criminal history records check must be performed for any applicant for a medical license or a nursing license as an LPN or RN. Department of Health and Human Services: A criminal history records check and a check against the state child abuse and neglect registry must be performed for any DHHS employee whose job description would cause them to come into direct contact with children. State Banking Department: A background investigation and a criminal history records check are required for every selected applicant for employment in any position prior to hiring the applicant. Real estate brokers and agents: A criminal background check is required for licensed real estate brokers and agents. Detective and security services: A background investigation or criminal records check is required for any applicant for a private detective agency license or a security guard service license. Certain retail sellers and financiers: A principal of either a motor vehicle retailer or motor vehicle financing company must submit to a background check in order to become licensed. Mortgage loan servicers: A principal of a mortgage servicing company must submit to a background check upon registration. Debt adjustment services personnel: A principal in the business of debt adjustment must submit to a background check in order to become licensed. Money transmitter: A principal in the business of money transmission must submit to a background check in order to become licensed.</p>	
<p>NJ</p>	<p>Background checks are required on applicants and/or employees in many fields, including attorneys, employees at airports, volunteers/employees of nonprofit youth-serving organizations, employees in check-cashing businesses, school bus drivers, employees at institutions or facilities that serve the mentally ill or disabled, any employee under the authority of the Commissioner of Human Services, staff of child care centers, heads of community agencies or employees of such agencies, and any employee of the Division of State Police or a private detective agency, and any paid member of a fire department. In addition, independent contractors who</p>	<p>N.J.S.A. 2B:1-3, N.J.S.A. 6:1-100, N.J.S.A. 15A:3A-2, N.J.S.A. 17:15A-36, N.J.S.A. 18A:39-17, N.J.S.A. 30:5B-6.10, N.J.S.A. 30:6D-64, N.J.S.A. 53.1-20.8, N.J.S.A. 30:4-3.5; N.J.S.A. 40A:14-9; N.J.S.A. 45:19-11; N.J.S.A. App. A:9-79.</p>

	<p>perform work in certain key industries, including chemical plants, power plants, and research and development laboratories, are required to conduct background checks on their employees.</p>	
<p>NM</p>	<p>Background checks are required on employees of public schools and public and private child-care facilities; employees of juvenile detention, correction, and treatment facilities; caregivers at nursing facilities, intermediate care facilities, mentally retarded care facilities, general acute care facilities, psychiatric facilities, and rehabilitation facilities; employees of home health agencies, homemaker agencies, homes for aged and disabled, group homes, adult foster care homes, guardian service providers, case management entities serving developmentally disabled, and private residences providing personal care, adult residential care, or nursing care for two or more persons not related to the facility's operator or owner. Also employees of adult day care centers; boarding homes; adult residential care homes; entities providing respite, companion, or personal care services; state-funded programs providing homemaker or adult day care services; New Mexico mounted patrol; and state lottery personnel.</p>	<p>Schools: NMSA 1978, §22-10A-5 (2007). Emergency medical services providers: NMSA 1978, §24-10B-5.2 (2014). Child care: NMSA 1978, §§32A-15-1 through 32A-15-4 (2005). Caregivers at nursing facilities; intermediate care facilities; mentally retarded care facilities; general acute care facilities; psychiatric facilities; rehabilitation facilities; home health agencies; homemaker agencies; homes for aged and disabled; group homes; adult foster care homes; guardian service providers; case management entities serving developmentally disabled; private residences providing personal care, adult residential care, or nursing care for two or more persons not related to the facility's operator or owner; adult day care centers; boarding homes; adult residential care homes; entities providing respite, companion, or personal care services; state-funded programs providing homemaker or adult day care services: NMSA 1978, §§29-17-2 through 29-17-5 (2005). Mounted patrol: NMSA 1978, §29-6-4.2 (1999). State lottery personnel: NMSA 1978, §6-24-12(D) (1999).</p>
<p>NY</p>	<p>Background checks including fingerprinting are required for certain jobs. For example, fingerprinting is required in order to perform background checks on the following: (1) employees of school districts, charter schools, and boards of cooperative educational services, and authorizing the fingerprinting of prospective employees of nonpublic and private elementary and secondary schools in school districts within a city with a population of less than one million; (2) employees assisting in the installation, servicing, or maintenance of security or fire alarms; (3) employees of any national securities association registered with the U.S. Securities and Exchange Commission, a clearing corporation, or securities information processor affiliated with any such exchange or association; (4) private investigators and security guards and employees of private detective agencies; and (5) applicants to child daycare centers or school-age child-care providers. Employers may, at their discretion, fingerprint employees of hospitals and medical colleges affiliated with hospitals, and private proprietary hospitals.</p>	<p>School employees: N.Y. Educ. Law §305(30). Alarm systems: N.Y. Gen. Bus. L. §69-q(5). Securities: N.Y. Gen. Bus. L. §359-e(12)&(12-a). Private investigators, security guards: N.Y. Gen. Bus. L. §§72, 81, 89-i. Child care: N.Y. Soc. Serv. §390-b, N.Y. Exec. Law §837-n. Hospitals: N.Y. Lab. L. §201-a and N.Y. Arts & Cul. Aff. §61.11</p>

<p>NC</p>	<p>Background checks are required for positions in licensed child care providers; nursing homes; home care agencies; adult care homes; area authorities including mental health, developmental disability, substance abuse services, and contract agencies of those facilities or authorities. The requirement doesn't apply to positions that require occupational licenses because such positions generally involve background investigations as part of the licensure process. Background checks also are required for applicants of private protective services.</p>	<p>Licensed nursing homes; home care agencies; adult care homes; area authorities including mental health, developmental disability, substance abuse services, and contract agencies of those facilities or authorities: N.C. Gen. Stat. §§110-90.2, 131D-40, 131E-265, and 122C-80. Private protective services: N.C. Admin. Code 12.7D.</p>
<p>ND</p>	<p>Background checks are required on (1) individuals applying to grow industrial hemp, (2) applicants for a retail license to serve alcoholic beverages, (3) applicants for a teacher's license, (4) applicants to be school guidance counselors, (5) physicians and surgeons, (6) applicants in investigative and security services, (7) applicants to provide foster care, (8) persons working or residing in a licensed child care facility, (9) persons applying for a license as a peace officer, (10) individuals employed by ND public employees retirement board after July 31, 2005, (11) the final applicant for president of the Bank of North Dakota, (12) the final applicant for Job Service North Dakota Executive Director, (13) the final applicant for North Dakota Department of Health, State Health Officer, (14) individuals applying to the North Dakota Board of Nursing for licensure or individuals investigated for disciplinary violations, (15) individuals applying to the state board of pharmacy for licensure or individuals investigated for disciplinary violations, (16) individuals applying to the Board of Social Work Examiners for licensure or license renewals, (17) final applicants for security officer positions through the state university system, (18) final applicants for positions with the Department of Corrections and final applicants and agents or employees of a private entity providing contract correctional services, (19) individuals applying for wholesale drug distribution license through state board of pharmacy, (20) individuals applying for initial or relicensure through board of dental examiners, (21) individuals applying for licensure by state board of nursing home administrators, (22) individuals applying for licensure as marriage and family therapists, (23) any individual employed by a substance abuse treatment facility who may have contact with adolescents undergoing</p>	<p>Industrial hemp: N.D.C.C. §4-41-02. Alcoholic beverages: N.D.C.C. §5-02-02. Teachers: N.D.C.C. §15.1-13-14. Guidance counselors: N.D.C.C. §15.1-13-23. Physicians, surgeons: N.D.C.C. §43-17-07.1. Investigative, security services: N.D.C.C. §43-30-06. Foster care: N.D.C.C. §50-11-02.4. Licensed child care: N.D.C.C. §50-11.1-04. Peace officers: N.D.C.C. §12-63-06. Nurses: N.D.C.C. §43-12.1-09.1; N.D.C.C. §26.1-26-13-03. Social workers: N.D.C.C. §43-41-04.2. Wholesale drug distributors: N.D.C.C. §43-15.1. Nursing home administrators: N.D.C.C. §43-34. Marriage-family therapists: N.D.C.C. §43-53-06. Substance abuse treatment workers: N.D.A.C. 75-09.1-01-17. Chiropractors: N.D.C.C. §43-06-11.1. Respiratory therapists: N.D.C.C. §43-42-08. Professional counselors: N.D.C.C. §43-47-06.3. <i>See generally:</i> Criminal history record checks: N.D.C.C. §12-60-24. Appraisal management companies: N.D.C.C. §43-23.5-23.</p>

	<p>treatment, (24) any individual applying to the Board of Respiratory Care for licensure, (25) any individual applying to the Board of Chiropractic Examiners for licensure, (26) anyone applying to the Board of Counselor Examiners for licensure, (27) the final applicant for a specified occupation with Workforce Safety and Insurance, as designated by the director or any WSI contractor with access to confidential information, (28) individuals applying to register as an Appraisal Management Company, and (29) individuals applying for licensure with the insurance commission as a resident producer.</p>	
OH	<p>Certain employers must conduct criminal background checks. Those employers include those who operate nursing homes, residential care facilities, county and district homes, homes for the aging, adult-care facilities, for employment or for a license, hospice-care programs, and schools, and child- and adult-care providers. Certain public employees, such as state lottery workers, firefighters, EMTs, and community health workers may also be the subject of criminal background checks.</p>	<p>State lottery employees: Ohio Rev. Code §3770.02(D). Community based long term care services: Ohio Rev. Code §§173.38(l)(3) and 3701.881. Community health workers: Ohio Rev. Code §4723.83. Education: Ohio Rev. Code §§3301.32, 3301.541, and 3319.39. Child care providers: Ohio Rev. Code §§109.572, 2151.86, 5104.019, and 5153.111. Adult care providers: Ohio Rev. Code §§173.27, 3701.881, 3712.09, and 3721.121 Home health agencies: Ohio Admin. Code §3701-60-04, Ohio Rev. Code §3701.881. Board/department of mental retardation and developmental disabilities employees: Ohio Rev. Code §§109.572 and 5123.081. Medicaid assisted living: Ohio Rev. Code §§5164.34, 5164.342, and 5164.341. Generally: Ohio Rev. Code §109.572.</p>
OK	<p>Background checks are required on applicants to child care facilities, applicants for community services workers, and Medicare personal care assistants.</p>	<p>Child care: Okla. Stat. Title 10 §404.1. Community services, Medicare personal care: Okla Stat. Title 56 §1025.2.</p>
OR	<p>Background checks are required on mortgage loan originators and mortgage bankers; applicants for various educational positions including employment with school districts, education service districts, private schools, public charter schools, alternative education programs, and career schools; applicants for employment with residential facilities, adult foster homes, in-home care agencies, and home health agencies; employees of bingo, lotto, raffle, or Monte Carlo event operations; child care workers and employees in preschool recorded programs; applicants for an apprenticeship with a funeral services practitioner or embalmer; certain employees of authorized intra-state for-hire couriers of household goods; and applicants for employment with numerous state</p>	<p>Loan originators: ORS 86A. 186. School employees: ORS 326.603 -.604, 336.631, 342.223, 342.232. Residential facilities and in-home caregivers: ORS 443.004, 443.340. Bingo/Lotto employees: ORS 464.250. Child care: ORS 657A.030, 657A.255-.257. Funeral services: ORS 692.190. Intra-state couriers: ORS 825.325.</p>

	departments, agencies, boards, and commissions.	
PA	<p>Police officers must undergo a background investigation prior to employment, including a criminal history check and a credit check. All applicants to certain facilities providing care to elderly individuals are required to submit a report of criminal history record information. All prospective employees of public and private schools, intermediate units, and area vocational-technical schools including independent contractors and their employees are required to submit a report of criminal history record information, along with a set of fingerprints with their application for employment. An exception is employees and independent contractors and their employees who have no direct contact with children. All individuals providing childcare must submit to a criminal background check. Certain drivers for common carriers must submit to a driver history check and criminal background check. Certain investigatory employees are required to submit to a criminal background check. Criminal background checks and communicable disease screens are required for individuals employed by a home care agency and referred by a home care registry to provide care. Before referral to consumers, all health care workers and any other office staff or contractors with direct consumer contact are required to obtain documentation from a physician or other health care professional that the individual is free from communicable diseases.</p>	<p>Police: 53 Pa. C.S. §2164. Elder care: 35 Pa. C.S. §10225.502. Schools: 24 Pa. C.S. §1-111. Child care: 23 Pa. C.S. §6344. Investigatory employees: 23 Pa C.S. §23. Common carriers: 2 Pa. C.S. §§29.504 and 29.505.</p>
RI	<p>Criminal background checks are required for: (1) applicants to facilities licensed or registered with the state if the job involves routine contact with patients or residents without the presence of other employees; (2) applicants with a private school or public school department that haven't previously been employed by such school or department in Rhode Island during the past 12 months as well as current or prospective volunteers who may have direct and unmonitored contact with children and/or students on school premises; (3) employees of certain private nursery schools and other regular programs of educational services to children if the job involves supervisory or disciplinary power over a child or involves frequent and routine contact with a child without the presence of other employees; (4) applicants to nursing facilities or home nursing care providers that are required to be licensed, registered, or certified with the state if the job involves routine contact with</p>	<p>Routine contact with patients or residents: R.I.Gen.Laws §23-17.7.1-17. Schools: R.I.Gen.Laws §16-2-18.1(a) (applicants for employment) and 16-2-18.4 (volunteers). Private nursery schools: R.I.Gen.Laws §§16-48-1 and 16-48.1-2. Nursing facilities or home nursing care providers: R.I.Gen.Laws §23-17-34(a). Assisted living: R.I.Gen.Laws §23-17.4-27(a). Department of Children, Youth and Families: R.I.Gen.Laws §§40-13.2-2, 40-13.2-4, 40-13.2-4.1, 40-13.2-5, and 40-13.2-5.1. Department of Mental Health, Retardation, and Hospitals: (R.I.Gen.Laws §40.1-25.1-1).</p>

	<p>patients or residents without the presence of other employees; (5) applicants to licensed assisted living residences when the job involves routine contact with residents or having access to their belongings or funds; (6) applicants to facilities licensed by the Department of Children, Youth and Families if the job involves supervisory or disciplinary power over children or routine contact with children without the presence of other employees; and (7) applicants 18 or older to any facility or program licensed, funded, and/or operated by the Department of Mental Health, Retardation, and Hospitals.</p>	
<p>SC</p>	<p>Criminal background checks are required for initial applicants for teacher certification, applicants to licensed child care facilities, employees of the state foster care system, employees of the Department of Social Services child care licensing or child protective services divisions, private security and investigation employees, firefighters (paid or volunteer), charter school employees, alcohol retailers, state law enforcement personnel, initial real estate licensure applicants, volunteer guardian ad litem, volunteers or employees of the Commission on National and Community Service, real estate appraisers, and long-term health care administrators.</p>	<p>Teacher certification: S.C. Code Ann. §59-25-115. Child care facilities: S.C. Code Ann. §20-7-2725. Foster care: S.C. Code Ann. §20-7-2386. Department of Social Services: S.C. Code Ann. §20-7-3097. Security, investigators: S.C. Code Ann. §40-18-20. Firefighters: S.C. Code Ann. §40-80-40. Charter schools: S.C. Code Ann. §59-40-60. Alcohol retailers: S.C. Code Ann. §61-6-505. State law enforcement: S.C. Code Ann. §23-31-215. Direct caregivers: S.C. Code Ann. §44-7-2910. Real estate commission: S.C. Code Ann. §40-57-115. Guardian ad Litem program: S.C. Code Ann. §43-35-240. Commission on National and Community Service: S.C. Code Ann. §23-3-47. Real estate appraiser: S.C. Code Ann. §40-60-31. Long term health care administrator: S.C. Code Ann. §40-35-40.</p>
<p>SD</p>	<p>(1) School districts are required to conduct background checks on teachers and student teachers of secondary and elementary schoolchildren. (2) Each person hired by the Division of Banking, in any capacity, shall agree to submit to a background investigation. (3) Persons hired for positions at South Dakota School for the Blind and Visually Impaired shall submit to a background check. (4) Municipalities, in their discretion, may require applicants to submit to a state and federal criminal background check. (5) The Sisseton-Wahpeton Sioux Tribe requires background checks for tribal council members, law enforcement, conservation officers, and education employees. The state DCI may perform the criminal background check. (6) Gaming employees can be required to undergo a background check in order for a casino owner to hold a gaming license. (7) Child welfare agencies (including group homes, residential treatment centers, group care centers, foster homes, day cares with more than 12 children, before and after school care programs, and independent living</p>	<p>School districts: SDCL §§13-10-12, 13-10-12.1, 13-10-13, and 13-10-14. Division of Banking: SDCL §51A-2-6. School for the Blind and School for the Deaf: SDCL §13-49-14.13. Municipal employees: SDCL §9-14-42. Tribal employees: SDCL §§23-3-15.1 and 23-3-15.2. Child welfare agencies and Central Registry check: SDCL §26-8A-12.3. County employees: SDCL §7-18A-37. Trust company employees: SDCL §51A-6A-17. Personal attendants, basic nurse aide, home health aide: SD Administrative Rules 67.54.06.08; SDCL §1-36-36. Patient care: SDCL §§27A-4-22, 27B-3-52. Social services and family services: SDCL §1-36-36. Forensic chemistry: SDCL §1-43-34. Caregivers for the developmentally disabled: SDCL §27A-4-22. Selective service: SDCL §3-1-1.1.</p>

	<p>preparation programs for wards of the state) are required to conduct background checks on adults responsible for administration or direct supervision of staff, any adults residing in the facility/home, and any adults (including volunteers) who provide care and supervision to children. A central registry check is also required for employees of child welfare agencies and day cares of any size. (8) The South Dakota legislature has authorized counties, by ordinance, to require persons over 18 seeking employment to submit to a state and federal criminal background investigation. The ordinance must specify which occupations or positions require a criminal background check. (9) Each person hired as an employee whose primary duty includes patient care or supervision at the Human Services Center (state hospital for care of mentally ill) shall submit to a criminal background investigation. (10) Each person hired by the Department of Social Services to serve as a social service aide, family services specialist, family services specialist supervisor, and regional manager in the Division of Child Protection Services or as a home health aide, adult services and aging specialist, social services supervisor, and regional manager in the Division of Adult Services and Aging shall submit to a criminal background investigation. (11) Each person hired by the Department of Health, forensic chemistry unit of the public health laboratory shall submit to a criminal background investigation. (12) Each person hired as an employee at the South Dakota Developmental Center (center that provides support/services for people with developmental disabilities), whose primary duties include patient care or supervision, shall submit to a criminal background investigation. (13) No person who is required to register with the selective service system but has not done so may be hired by the state or a county, township, municipality, school district, or any other governmental unit or department in any capacity.</p>	
<p>TN</p>	<p>Criminal history background checks and fingerprints are required for applicants who would have access to children. Also, a religious, charitable, scientific, educational, athletic, or youth service institution or organization may require any person who applies to work with children as a volunteer or as a paid employee to submit to similar</p>	<p>Applicants with access to children: Tenn. Code Ann. §§37-5-511 and 49-5-413. Religious, charitable organizations: Tenn. Code Ann. §37-1-414. Nursing homes, etc.: Tenn. Code Ann. §68-11-256. Home health, hospice: Tenn. Code Ann. §68-11-233. Adult day care: Tenn. Code Ann. §71-2-403. Care of disabled, elderly in their homes: Tenn. Code Ann. §71-2-111. Child care agencies: Tenn. Code Ann. §71-3-507 and §71-3-514. Mental health,</p>

	<p>checks. Employers operating child care agencies must establish drug testing policies. Applicants for nursing home positions that provide direct care to residents or patients also must submit to criminal background checks, and that requirement also applies to any company or agency providing direct-care staff to nursing homes. Applicants for home health care or hospice organizations, adult day care centers, and organizations providing services to disabled or elderly persons in their homes are subject to checks. Criminal background check and fingerprints are required for employees who would have direct contact or direct responsibilities with service recipients in mental health, alcohol abuse and treatment, or intellectual & developmental disabilities services facilities.</p>	<p>substance abuse, etc.: Tenn. Code Ann. §33-2-1202.</p>
<p>TX</p>	<p>Health facilities may not employ individuals whose criminal history check shows convictions of offenses that bar employment or convictions that are contraindications to employment with the facility or to direct contact with the individual using the consumer-directed service option. Specifically, nurse aides may not be employed until the facility or employer verifies that the applicant is listed in the nurse aide registry and the applicant isn't designated in the registry as having a finding entered concerning abuse, neglect, or mistreatment of an individual using the consumer-directed service option or a consumer, or a misappropriation of the property of an individual using the consumer-directed service option or a consumer. Also, facilities or employers must immediately discharge employees designated in the nurse aide registry or the employee misconduct registry as having committed an act of abuse, neglect, or mistreatment of an individual using the consumer-directed service option or a consumer, or misappropriation of the property of an individual using the consumer-directed service option or the consumer, or whose criminal history check reveals conviction of a crime that bars employment or that the facility determines is a contraindication to employment.</p> <p>In-home service companies or residential delivery companies must obtain criminal history information relating to employees or prospective employees of the company whose job duties require entry into another person's residence. A school district, open-enrollment charter school, or shared services</p>	<p>Tex. Health & Safety Code §250.003(a) and (c); Tex. Civil Practice and Remedies Code §§145.002 and 145.004; Tex. Education Code §§22.083, 44.034; Tex. Human Resources Code §42.056. See also Chapter 411 of the Tex. Government Code, Subchapter F.</p>

	<p>arrangement must obtain criminal history information for (1) a person whom the school intends to employ in any capacity; or (2) a person who has indicated, in writing, an intention to serve as a volunteer with the school. If a school district contractor has been convicted of a felony, notice must be given that includes a description of the offense. If the school district finds that notice was not given or the contractor misrepresented the conduct resulting in the conviction, the contract will be terminated. Owners and operators of child care facilities must during each 24-month period after licensure submit the names of each employee or potential employee who will provide direct care or have access to children to the Department of Family and Protective Services for criminal history checks. Those seeking a childcare administrator's license must satisfy minimum requirements relating to criminal background checks. Also, the attorney general's office is entitled to obtain criminal history information maintained by the department or agency that relates to a person who is an applicant for a job with the office or an applicant to be a consultant, intern, or volunteer regarding the enforcement of child support if a supervisory employee of the agency has recommended that the applicant be hired or serve as an intern or volunteer. Other employers or licensing agencies have the discretion as to whether or not to conduct background checks on employees or applicants. These include volunteer fire departments, counties and municipalities, and the board of nurse examiners.</p>	
<p>UT</p>	<p>Background checks are required on certain applicants and employees, including attorneys, nurses, and school teachers. Covered employees include school personnel; charter school employees, volunteers, and contract employees; foster parents; school interns; college and university employees and interns; employees and applicants at human service providers with direct access to children or vulnerable adults; emergency medical services providers; pharmacists, pharmacy interns, pharmacy technicians, nurses; insurance agents, adjustors, and third party administrators; real estate brokers and agents; employees with access to public water works; employees of the Alcoholic Beverage Control Commission as well as those receiving a license therefrom and those seeking to operate a package agency;</p>	<p>School personnel: Utah Code §53A-3-410. Charter schools: Utah Code §53A-1a-512.5. Foster parents: Utah Code §78A-6-308. School interns: Utah Code §53A-29-104. College interns: Utah Code §53B-16-404. Access to children or vulnerable adults: Utah Code §62A-2-120. Emergency medical service providers: Utah Code §26-8a-310. Pharmacy industry: Utah Code §§58-17b-303(1)(d), 58-17b-304(4), 58-17b-305(1)(d), 58-17b-307. Nurses: Utah Code §58-31b-302. Insurance industry: Utah Code §§31A-23a-105(3)(a), 31A-25-203(3)(a); 31A-26-203(3)(a). Real estate industry: Utah Code §61-2c-202, 61-2c-203. Waterworks: Utah Code §11-40-102(1). Airport ground transportation: Utah Code §72-10-602. Massage therapist/apprenticeship: Utah Code §58-47b-302(4). Certified local inspector: Utah Code §§62A-2-121 and</p>

	<p>massage therapists and apprentices; certified local inspectors; personal care attendants; appraisal management companies; police dispatchers; motor vehicle salespersons; private security companies; and real estate brokers and sales agents. The state also authorizes public transportation districts to conduct background checks of those employees of safety/security sensitive areas or positions, and also authorizes cities to pass ordinances requiring background checks of ground transportation providers who service airports within their boundaries. Public water utilities are allowed, but not required, to conduct a criminal background check as a condition of employment.</p>	<p>62A-2-122. Attorneys: Utah Code §78A-9-101; Utah Rules of Judicial Administration §§14-704 and 14-708. Alcoholic Beverage Control Commission: Utah Code §32B-1-305 to 32B-1-307. Public Transportation District: Utah Code §17B-2a-825. Personal care attendants: Utah Code §62A-3-104.3. Appraisal management companies: Utah Code §61-2e-203. Police dispatchers: Utah Code §53-6-302(2)(a). Motor vehicle salespersons: Utah Code §41-3-205.5. Private security companies: Utah Code §58-63-302. Real estate brokers and sales agents: Utah Code §61-2f-204(1)(d). Public water utility: Utah Code §11-40-102.</p>
<p>VT</p>	<p>Criminal history background checks are required for certain individuals applying for or employed as school superintendents, school district workers with unsupervised contact with schoolchildren, child-care workers, professional educators, student teachers, and state “security personnel positions.” The following positions also require criminal background checks: “students seeking entry to basic training courses for both full-time and part-time law enforcement officers” (VT. ADC 6-1-1:17); staff at a Commissioner-Designated shelter (VT. ADC 12-3-502:9); “principal officer, board member and employee” of a registered cannabis dispensary (VT ADC 17-2-3:6.20); “applicant, candidate or transferee” for employment within Vermont Criminal Information Center (VT ADC 17-2-1:13.30); direct care personnel employed with a home health agency (VT ADC 12-4-205:5.1); “employees, board member/trustees, volunteers, student interns, and others who may have unsupervised contact with children/youth” in a Residential Treatment Program (VT ADC 12-3-508:410); a personal care attendant who provides personal care services to a child (VT ADC 12-7-4:7406.1(g)); employees of a licensed private investigative agency, security guard agency, or a combination private investigative and security guard agency (VT ADC 20-4-1500:2.5(D)); those “employed by an emergency management organization...whose access to facilities, materials, or information requires a security clearance”(20 V.S.A. §18); work study students who have unsupervised contact with schoolchildren (16 V.S.A.</p>	<p>16 V.S.A. §254, 16 V.S.A. §255, 20 V.S.A. §2056e, 33 V.S.A. §3502, and VT. ADC 12-3-102:3.</p>

	§260); and job applicants recommended by headmaster or superintendent of a school district or independent school (16 V.S.A. §258).	
VA	Criminal background checks are required for (1) private security service employees; (2) school employees; (3) nursing home employees; (4) hospital pharmacy employees; (5) home care organizations and hospices; (6) daycare and child-care facilities, those who care for the disabled and elderly; (7) community group home employees; (8) gun dealers; (9) law enforcement; (10) local and county officers and employees; (11) lottery department employees; (12) mental health providers; (13) mental health service department applicants; (14) private school employees; (15) animal humane/control investigators; (16) bail bondsmen and bail enforcement agents; (17) children's residential and detention facilities; (18) child welfare agencies, operators of family day homes, foster or adoptive parents; (19) employees of Virginia Board of Alcoholic Beverage Control (ABC) who handle departmental funds or merchandise; (20) mortgage loan originators; (21) Arlington County Fire Department employees; (22) employees of any children's residential facility; (23) officers, owners, administrators of motorcycle safety training centers; (24) employees of Department of Virginia Lottery; (25) public transit service employees; (26) certain local employees.	<p>Security employees: VA Code §9.1-139. School employees: VA Code §22.1-296.2. Nursing home employees: VA Code §32.1-126.01. Hospital pharmacy employees: VA Code §32.1-126.02. Home care and hospices: VA Code §32.1-162.9:1. Daycare facilities and those who care for disabled and elderly: VA Code §19.2-392.02; 63.2-1808.1. Community group home employees: VA Code §66-24. Gun dealers: VA Code §18.2-308.2:3. Law enforcement: VA Code §15.2-1705. Local government officers and employees: VA Code §15.2-1503.1; 15.2-634.1; 15.2-709.1. Lottery employees: VA Code §58.1-4009. Mental health providers: VA Code §37.2-416. Mental health service department applicants: VA Code §37.2-314. Private school employees: VA Code §22.1-296.3. Animal control/humane investigators: VA Code §3.2-6558. Bail bondsmen and bail enforcement agents: VA Code §9.1-185.5; 9.1-186.6. Children's residential and detention facilities: VA Code §63.2-1726. Child welfare agencies, operators of family day homes, foster or adoptive parents: VA Code §63.2-1721. Certain ABC employees: VA Code §4.1-103.1. Mortgage loan originators: VA Code §6.2-1704. Certain local employees: VA Code §15.2-1503.1. Certain public transit service employees: VA Code §33.2-1919. Arlington Co. Fire Dept. employees: VA Code §27-6.2. Children's residential facility employees: VA Code §37.2-408.1. Motorcycle training center officers, directors, etc.: VA Code §46.2-1190. Dept. of Taxation employees: VA Code §58.1-4008.</p>
WA	Employers who have employees/volunteers with unsupervised access to (1) children under the age of 16, (2) developmentally disabled adults, or (3) vulnerable adults (functionally disabled persons 60 and over) must ask each applicant to fill out a disclosure statement concerning conviction of any crime against persons or any civil adjudication of sexual assault, physical abuse, or exploitation of any minor.	Wash. Rev. Code §§43.43.834, 43.43.830.
WV	Background checks are required for the following: facility staff members who administer medications or perform health maintenance tasks in certain health care facilities; license examiners for the Division of Motor Vehicles; applicants or employees who are or may be in a position involved in the examination, processing, or issuance of a driver's license or identification card, or who would have access to affect any	<p>Medication administration: W. Va. Code §16-50-6. Division of Motor Vehicles: W. Va. Code §17B-2-5a(b). Commercial drivers: W. Va. Code §17E-1-12(b)(4). Lottery: W. Va. Code §§29-22-6(a), 29-22-8(a)(2), and 29-22-23(b)(6)(G). Gaming facilities: W. Va. Code §29-25-4. Banking, lending, brokering: W. Va. Code §31A-2-4(b)(4). Nursing homes: W. Va. Code St. R. §64-13-11.3. Assisted living facilities: W. Va. Code St. R. §64-14-5.3. Medical adult day-care centers:</p>

	<p>document or record related to an applicant or holder of a driver's license or identification card; commercial drivers renewing a hazardous materials endorsement; lottery director, all lottery employees, and vendors; gaming facility employees; applicants seeking approval to charter and/or control a state bank, state credit union, or a foreign bank state agency or representative office; those seeking a license to engage in the business of money transmission and currency exchange; those seeking a license to engage in regulated consumer lending, mortgage lending, or brokering; applicants seeking Division of Banking financial institutions regulatory employment; applicants for employment at nursing homes; applicants for employment as administrators of assisted living facilities; applicants for employment as directors of medical adult day-care centers; applicants for employment as administrators of residential-care communities; applicants for employment as wildlife damage control agents; prospective employees of child-placing agencies; all prospective employees, contracted clinical employees, consultants, students, and volunteers who provide direct services to children at a facility or other entity that provides residential services on a 24-hour-per-day basis and may provide therapeutic treatment programs for children; all family-child-care-facility owners, household members, applicants, volunteers, and staff including staff working directly with children and substitute caregivers used more frequently than 20 eight-hour days per year; the prospective director and all other prospective staff members and volunteers of out-of-school-time child-care facilities; candidates, prior to final selection by the designated search committee or governing board, for employment as the president of certain local colleges and universities; and finalists, prior to a campus visit made at the invitation of the designated search committee, for employment as the president of certain local technical and community colleges.</p>	<p>W. Va. Code St. R. §64-2-6.3. Residential-care communities: W. Va. Code St. R. §64-75-5.3. Wildlife damage control agents: W. Va. Code St. R. §58-41-5. Child-placing agencies: W. Va. Code St. R. §78-2-7.4. Residential child-care facilities: W. Va. Code St. R. §§78-3-3.52, 78-3-8.7, 78-3-10.3. Family child-care facilities: W. Va. Code St. R. §§78-18-5.1, 78-18-7.2, 78-18-15, 78-18-16. Out-of-school-time child-care facilities: W. Va. Code St. R. §78-21-7.4. Higher education: W. Va. Code St. R. §§133-5-2.2, 135-5-2.2.</p>
<p>WI</p>	<p>Criminal history and child abuse record searches are required for employees of child day care facilities. Criminal histories and patient abuse record searches are required for nursing homes and other health care facilities. Wisconsin's care giver laws include administrative rules that expand on the requirements set forth in the relevant state statutes.</p>	<p>Child day care: Wis. Stat. §48.685. Nursing home, hospitals, and other health care facilities: Wis. Stat §50.065, Wis. Admin. Code Chapter HFS 12.</p>

<p>WY</p>	<p>State and national criminal history record checks are required on employees of schools and certain providers of care to minors, persons with mental illness or developmental disabilities, and the elderly, as well as persons applying to be peace officers and lottery employees at director level or above or in security positions. Also, employees of or applicants for employment with the state auditor's office or the Wyoming Retirement System who have access to confidential accounting or financial information and Wyoming Department of Transportation employees or prospective employees involved in the manufacture or production of driver's licenses. In addition to state and national criminal records checks, employees of schools and childcare facilities, and those facilities dealing with vulnerable adults, must check all employees through the central abuse and neglect registry.</p>	<p>School employees and care providers: Wyo. Stat. §7-19-201; Wyo. Stat. §14-3-214(f); Department of Family Services Regulations, Central Registry for Child and Vulnerable Adult Protection Cases, Chapter 3. Peace officers: Wyo. Stat. §9-1-704. Lottery employees: Wyo. Stat. §9-7-110(e). State auditor's office and retirement system: Wyo. Stat. §7-19-201(a)(x), (xiv). Department of Transportation: Wyo. Stat. §7-19-201(a)(xviii).</p>
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