

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Holder offered the following:

4
5 **Amendment**

6 Remove lines 107-136 and insert:

7 (2) Level 2 background screening pursuant to chapter 435
8 is not required for the following direct service providers:

9 (a)1. Licensed physicians, nurses, or other professionals
10 licensed by the Department of Health who have been fingerprinted
11 and background screened as part of such licensure; and

12 2. Attorneys in good standing with The Florida Bar; are not
13 subject to background screening

14
15 if they are providing a service that is within the scope of
16 their licensed practice.

17 (b) Relatives. For purposes of this section, the term
18 "relative" means an individual who is the father, mother,
19 stepfather, stepmother, son, daughter, brother, sister,

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20 grandmother, grandfather, great-grandmother, great-grandfather,
21 grandson, granddaughter, uncle, aunt, first cousin, nephew,
22 niece, husband, wife, father-in-law, mother-in-law, son-in-law,
23 daughter-in-law, brother-in-law, sister-in-law, stepson,
24 stepdaughter, stepbrother, stepsister, half-brother, or half-
25 sister of the client.

26 (c)1. Volunteers who assist on an intermittent basis for
27 less than 20 hours per month and who are not listed on the
28 Department of Law Enforcement Career Offender Search or the Dru
29 Sjodin National Sex Offender Public Website. The program that
30 provides services to the elderly is responsible for verifying
31 that the volunteer is not listed on the databases.

32 2. Once the department is participating as a specified
33 agency in the Clearinghouse in s.435.12, the provider must
34 forward the volunteer information to the Department of Elder
35 Affairs if such volunteer is not listed in either of the
36 databases listed in sub-paragraph 1. The department must then
37 perform a check of the Clearinghouse. If a disqualification is
38 identified in the Clearinghouse, the volunteer must undergo a
39 level 2 background screen pursuant to ch. 435 and this section.

40 (3) Until such time as the department is participating as
41 a specified agency in the Clearinghouse in s. 435.12, the
42 department shall not require additional Level 2 screening
43 pursuant to this section if the individual is qualified for
44 licensure or employment by the Agency for Health Care
45 Administration pursuant to the agency's background screening
46 standards contained in s. 408.809, and the individual is

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47 providing a service that is within the scope of her or his
48 licensed practice or employment.

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