





## NURSING HOME/ASSISTED LIVING FACILITY

To Whom It May Concern:

Title 16, Chapter 11, Subchapter III, Sections 1141 and 1145 of the Delaware Code requires the Department of Health and Social Services (DHSS) to complete criminal background checks on persons applying for a position in a nursing home or home health agency licensed pursuant to 16 Del. C. Ch.11, that affords access to patients or individuals receiving care at such a facility or private home, or a person applying for a license to operate such a facility or business. To assist DHSS in the implementation of this law, we are requiring that persons applying to such facilities on or after January 1, 1999, or home health agencies on or after July 1, 2001 sign this release allowing the State Police to:

- proceed with fingerprinting
- complete a check of state criminal history through the State Bureau of Identification (SBI) and the Federal Bureau of Investigation (FBI)
- Title 16, Chapter 11, Subchapter III, Sections 1142 & 1146 of the Delaware Code requires employers to send all individuals defined above for mandatory drug testing. Employers are to send the applicants for drug testing.

In addition, to facilitate DHSS compliance with this law, we are requiring that persons applying to such facilities on or after January 1, 1999, or home health agencies on or after July 1, 2001 sign this release allowing DHSS to:

- review any other criminal justice information system criminal history or court records that will assist DHSS in determining disqualifying factors for employment.

The purpose of this form is to notify DHSS of the conditional hire and fingerprinting of applicants. This form will be the authorization you will need to take with you to a designated State Police location to be fingerprinted. SBI will send a certified copy to the Criminal Background Unit. Another copy will be returned to the employer.

DHSS and the employer, to determine an applicant's suitability for work, will use the information resulting from the background check.

**WHAT TO DO IF THE APPLICANT HAS BEEN FINGERPRINTED IN THE PAST FIVE YEARS PURSUANT TO 16 DELAWARE CODE SECTIONS 1141 or 1145**

*Please highlight the response to the question marked with two (2) asterisks on the first side of this form and forward the form to the address listed below.*

For more information on the criminal background check law please contact:

**Division of Long Term Care Residents Protection  
Criminal Background Check Unit  
Attention: Ken Thompson, Investigative Administrator  
3 Mill Road, Suite 308  
Wilmington, DE 19806-2164**