

**§2149-A. Policies and procedures; employment**

The requirements of this section apply to home health care providers required to be licensed under this chapter. [PL 2003, c. 634, §4 (NEW).]

**1. Policies and procedures.** A home health care provider shall develop and implement written policies and procedures that prohibit abuse, neglect or misappropriation of a client's property. [PL 2003, c. 634, §4 (NEW).]

**2. Prohibited employment based on disqualifying offenses.** A home health care provider shall conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel, including a certified nursing assistant or a direct care worker.

- A. [PL 2015, c. 494, Pt. A, §20 (RP).]
- B. [PL 2015, c. 494, Pt. A, §20 (RP).]
- C. [PL 2015, c. 494, Pt. A, §20 (RP).]

The department may adopt rules necessary to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2015, c. 494, Pt. A, §20 (RPR).]

**SECTION HISTORY**

PL 2003, c. 634, §4 (NEW). PL 2011, c. 257, §17 (AMD). PL 2015, c. 196, §12 (AMD). PL 2015, c. 299, §20 (AMD). PL 2015, c. 494, Pt. A, §20 (AMD).

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