



ELDER UPDATE

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New Background Screening Law to Protect Vulnerable Elders

Florida elders in nursing homes and assisted living facilities – along with children in daycare, individuals with disabilities and many other Floridians participating in government-funded programs – will benefit from a significant change that took effect August 1. Under a new law, people who work directly with these groups must pass an extensive background screening process designed to root out workers who might pose a threat to the very individuals they are supposed to be caring for.

Several state agencies, including the Department of Elder Affairs, have enacted new procedures to comply with the requirements. Under the new guidelines, individuals who want to work with affected elders or other groups must have their fingerprints checked by the Florida Department of Law Enforcement and the FBI. If they are found to have a record of committing certain disqualifying offenses, they will not be allowed to work in that job.

Elder Affairs immediately began working with many service providers within the Aging Services Network,

as well as the Area Agencies on Aging and many other organizations, to help them understand the new procedures and get ready to comply.

The new law requires employees to pass both a state and federal fingerprint screening, equivalent to a level 2 background check, before beginning work with elders, children and persons with disabilities in certain care settings. Direct service providers helping elders in many government-funded programs must have a Level 2 screening before having contact with clients or having access to client property, funds or living areas.

“The safety, security and well-being of children, elders and persons with disabilities is of the utmost importance, which is why we must be absolutely sure that those entrusted with their care are trustworthy and responsible,” said Governor Crist. “I am confident enhanced screening measures of those who work with these vulnerable populations is an added protection that will enhance public safety statewide.”

Elder Affairs created a website, <http://elderaffairs.state.fl.us/eng->

[lish/backgroundscreening.php](http://elderaffairs.state.fl.us/eng-lish/backgroundscreening.php), to provide details about who needs to be screened and how they can complete the screening process. The Department conducted numerous telephone conference calls to explain the new requirements to providers, and held a special discussion session at the recent Florida Conference on Aging.

The new background screening requirements grew out of a series of articles in the *South Florida Sun-Sentinel*. The newspaper’s investigation cited numerous instances where caregivers with significant criminal records were allowed to work at nursing homes and other facilities and then committed crimes against the vulnerable residents.

“We hope this new background screening process gives Florida’s seniors a greater measure of comfort,” said Elder Affairs Interim Secretary Charles T. Corley. “Nothing is more important to us than making sure the safety and dignity of these most esteemed citizens are respected and protected.”