



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Senate Bill 579	Senate Amendment 1
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2005 Senate Bill 579

Currently, certain entities that provide direct care or treatment services must obtain certain background information regarding prospective caregivers. In addition, every four years the entity must obtain updated background information regarding its caregivers, and must require its caregivers to complete a background information form provided by the Department of Health and Family Services (DHFS) every four years.

Under the bill, if an entity requires its caregivers to disclose to the entity any criminal conviction or criminal charge and notifies its caregivers of the disclosure requirements annually, the entity need not require its caregivers to complete the background information form provided by the DHFS. Also, the bill provides that failure of the caregiver to report a criminal charge or conviction subjects the caregiver to a civil penalty.

Senate Amendment 1

Senate Amendment 1 states that an entity need not require caregivers to complete the background information form every four years if the entity requires caregivers to disclose to the entity, in writing, all of the information requested on the background information form. The entity must notify its caregivers annually of this disclosure requirement. Under the amendment, this alternative to completing the background information form every four years does not apply to caregivers who are licensed, issued a certificate of approval, certified, or registered, by DHFS, to nonclient residents, and to other persons specified by DHFS by rule, for whom the entity must send the background information form to DHFS.

Legislative History

Senator Grothman offered Senate Amendment 1 on February 20, 2006. On February 22, 2006, the Senate Committee on Health, Children, Families, Aging, and Long Term Care recommended adoption of Senate Amendment 1 by a vote of Ayes, 5; Noes, 0; and recommended passage of the bill, as amended, by a vote of Ayes, 5; Noes, 0.

LR:ksm