

KENT COUNT NURSING HOME'S POLICY ON EMPLOYEE AND APPLICANT CRIMINAL HISTORY CHECKS

Each resident has the right to be free from abuse, corporal punishment, and involuntary seclusion. Residents will not be subjected to abuse by anyone, including, but not limited to, facility staff, other residents, consultants or volunteers, staff of other agencies serving the resident, family members or legal guardians, friends, or other individuals.

Each resident has the right to be free from mistreatment, neglect and misappropriation of property. This includes the facility's identification of residents' whose personal histories render them at risk for abusing other residents, and development of intervention strategies to prevent occurrences, monitoring for changes that would trigger abusive behavior, and reassessment of the interventions on a regular basis.

Therefore, the facility has developed operational policies and procedures for screening and training employees, protection of residents and for the prevention, identification, investigation, and reporting of abuse, neglect, mistreatment, and misappropriation of property. The facility's purpose is to assure that the facility is doing all that is within their control to prevent occurrences. These seven components listed above will give the facility guidance to assure the protection of all of their residents while they reside in the facility.

The facility will screen all potential employees for a history of abuse, neglect or mistreating residents. This will include the attempting to obtain information from previous employers and/or current employers and checking with the appropriate licensing boards and registries.

When an employee is being considered for employment, previous workplaces and references will be checked. Documentation will be maintained separately.

Before a person can be hired the facility will conduct a criminal history check within 24 hours by accessing the Texas Department of Public Safety web site at <http://secure.txdps.state.tx.us>. No employee will be allowed to have any direct contact with a resident until a criminal history check has been accomplished and verified that the person is employable. All KCNH facilities are non-criminal justice entities and have been granted access to the Texas Department of Public Safety's Criminal History Record Information (DPS CHRI) through the DPS databases for criminal history checks.

In addition to the pre-employment checks of the employee's criminal history check on the Texas Department of Public Safety web site, the facility will conduct an annual check on each employee at the time of the employee's anniversary date of hire. Documentation of these re-checks will be kept in the same manner as accomplished during the pre-employment checks. Appropriate action will be taken if the employee's criminal history check reveals an offense that is considered barrable for employment or continued employment.

In addition, before hiring an employee, the facility will search the Employee Misconduct Registry and the Nurse Aide Registry, which is maintained by HHSC, to determine whether the person is designated in either registry as having abused, neglected, or exploited a resident or consumer of a facility, or misappropriated a resident's or consumer's property. If so, then the facility is prohibited from employing such a person. The facility is required to provide written notification upon hiring and to all employees about the misconduct registry and that a person cannot be employed if listed on the registry. Verification that the Nurse Aide Registry and the Employee Misconduct Registry have been searched prior to employment will be documented. Before the hiring of an employee, each employee will sign a form HR104A acknowledging notification of the Employee Misconduct Registry. All employees will receive a copy of the Employee Misconduct Registry requirements.

Potential employees from states other than Texas will be verified through the state registry from which the employee came from to determine whether that person is designated as having abused, neglected, or exploited a resident or consumer of a facility.