

**216.793 Notice on application form of criminal record check -- Form of request -- Fee.**

- (1) Each application form provided by the employer, or each application form provided by a facility either contracted or operated by the Department for Behavioral Health, Developmental and Intellectual Disabilities of the Cabinet for Health and Family Services, to the applicant for initial employment in an assisted living community, nursing facility, or health care services agency providing staff to a nursing facility, or in a position funded by the Department for Community Based Services of the Cabinet for Health and Family Services or the Department for Aging and Independent Living of the Cabinet for Health and Family Services and which involves providing direct care services to senior citizens shall conspicuously state the following: "FOR THIS TYPE OF EMPLOYMENT STATE LAW REQUIRES A CRIMINAL RECORD CHECK AS A CONDITION OF EMPLOYMENT."
- (2) Any request for criminal records of an applicant as provided under subsection (1) of this section shall be on a form or through a process approved by the Justice and Public Safety Cabinet or the Administrative Office of the Courts. The Justice and Public Safety Cabinet or the Administrative Office of the Courts may charge a fee to be paid by the applicant or state agency in an amount no greater than the actual cost of processing the request.

**Effective:** July 14, 2022

**History:** Amended 2022 Ky. Acts ch. 110, sec. 12, effective July 14, 2022. -- Amended 2012 Ky. Acts ch. 146, sec. 104, effective July 12, 2012; and ch. 158, sec. 54, effective July 12, 2012. -- Amended 2007 Ky. Acts ch. 24, sec. 23, effective June 26, 2007; and ch. 85, sec. 249, effective June 26, 2007. -- Amended 2005 Ky. Acts ch. 99, sec. 490, effective June 20, 2005. -- Amended 2000 Ky. Acts ch. 6, sec. 31, effective July 14, 2000; ch. 14, sec. 47, effective July 14, 2000; ch. 141, sec. 18, effective July 14, 2000; and ch. 283, sec. 1, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 273, sec. 1, effective July 15, 1998; ch. 380, sec. 3; and ch. 426, sec. 436. -- Created 1994 Ky. Acts ch. 427, sec. 3, effective July 15, 1994.