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Chapter 449@ Medical and Other Related Facilities

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Section 449.829@ Initial and periodic investigations of employee, independent contractor or adult present during provision of services; termination of employment, contract or authority to be present for conviction of certain crimes; period in which to correct information regarding conviction

**449.829 Initial and periodic investigations of employee, independent contractor or adult present during provision of services; termination of employment, contract or authority to be present for conviction of certain crimes; period in which to correct information regarding conviction**

**1.**

Except as otherwise provided in subsection 2, within 10 days after hiring a new employee, entering into a contract with an independent contractor or determining that an adult who is not a recipient of services, including, without limitation, an adult child of the applicant or an adult child of an employee or independent contractor thereof, will be present during the provision of services, and every 5 years thereafter, a provider shall: (a) Obtain from the employee, independent contractor or other adult one set of fingerprints and a written authorization to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and (b) Submit to the Central Repository for Nevada Records of Criminal History the fingerprints obtained pursuant to paragraph (a) to obtain information on the background and personal history of each employee, independent contractor or other adult to determine whether the person has been convicted of any crime listed in NAC 449.822.

**(a)**

Obtain from the employee, independent contractor or other adult one set of fingerprints and a written authorization to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

**(b)**

Submit to the Central Repository for Nevada Records of Criminal History the fingerprints obtained pursuant to paragraph (a) to obtain information on the background and personal history of each employee, independent contractor or other adult to determine whether the person has been convicted of any crime listed in NAC 449.822.

**2.**

Upon receiving information from the Central Repository for Nevada Records of Criminal History pursuant to subsection 1, or evidence from any other source, that an employee, independent contractor or any other adult who is not a recipient of services and who will be present during the provision of services has been convicted of a crime listed in NAC 449.822, the provider shall terminate the employment or contract of that person or prohibit that adult from being present during the provision of services after allowing the person time to correct the information as required pursuant to subsection 3.

**3.**

If an employee, independent contractor or other adult believes that the information provided by the Central Repository for Nevada Records of Criminal History or any other source is incorrect, the employee, independent contractor or other adult may immediately inform the provider. The provider that is so informed shall give the employee, independent contractor or other adult a reasonable amount of time of not less than 30 days to correct the information received from the Central

Repository or other source before terminating the employment or contract of the person or prohibiting the person from being present during the provision of services pursuant to subsection 2.