

310_675-7-21 Sex or violent offender status

(a)

Determination of status. A facility subject to the provisions of this Chapter shall determine whether the following individuals have registered pursuant to the Sex Offenders Registration Act or the Mary Rippey Violent Crime Offenders Registration Act: (1) An applicant for admission or participation, (2) A resident, client or participant of a facility subject to the provisions of this Chapter, and (3) All employees of facilities subject to the provisions of this Chapter, in addition to the required criminal arrest check in 63 O.S. § 1-1950.1 and 63 O.S. §1-1950.8 (relating to criminal arrest checks).

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(2)

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(3)

All employees of facilities subject to the provisions of this Chapter, in addition to the required criminal arrest check in 63 O.S. § 1-1950.1 and 63 O.S. §1-1950.8 (relating to criminal arrest checks).

(b)

Procedures for determination of status. Prior to admission or employment but no later than three (3) business days from acceptance of any resident or participant,

the employing or receiving facility subject to the provisions of this Chapter shall determine from local law enforcement, the Department of Corrections, or the Department of Corrections' Sex Offender and Mary Rippy Violent Crime Offender registries, whether the prospective employee or accepted resident or participant is registered or qualifies for registration on either registry.

(c)

Recommended registry search strategy. A facility subject to the provisions of this Chapter may utilize the first three letters of the last name and an asterisk, and the first letter of the first name and asterisk, any known alias, and appearance criteria as provided for search within the Department of Correction's Internet based sex and violent crime offender registries.

(d)

Change in status after employment or admission. A facility subject to the provisions of this Chapter shall repeat the screening in OAC 310:675-7-21(b) (regarding procedures for determination of status) subsequent to the receipt of any information that an employee, resident or participant's registration status may have been altered or updated after the initial screening.

(e)

Posting of offender status. Pursuant to 63 O.S. § 1-1909(4), a facility subject to the provisions of this Chapter shall conspicuously post for display in an area of its offices accessible to residents, employees and visitors a copy of any notification from the local law enforcement authority regarding the registration status of any person residing in the facility who is required to register pursuant to the Sex Offenders Registration Act or the Mary Rippy Violent Crime Offenders Registration Act.

(f)

Notice to Department of sex or violent offender's presence. When a facility subject to the provisions of this Chapter is notified, or has determined, that an individual who is required to register pursuant to the Sex Offenders Registration Act or the Mary Rippy Violent Crime Offenders Registration Act is residing or participating at such facility, the facility shall immediately, in writing, notify the State Department of Health. [63 O.S. § 1-1946(A)(3)]

(g)

Content of notice of sex or violent offender's presence. Notice provided to the Department shall include the name, and identifying information used to make the determination in 310:675-7-21(b) (regarding determination of status).

(h)

Notification through other means. Where a facility subject to the provisions of this Chapter determines through other means, excepting written notification by the Department, of an employee, resident or participant required to register pursuant to the Sex Offenders Registration Act or the Mary Rippy Violent Crime Offenders Registration Act, the facility shall notify the Department and shall be subject to all other requirements within this section.