



## **RESOLUTION 0609-03**

### **THE PEHSC BOARD OF DIRECTORS SUPPORTS THE APPLICABILITY OF CHILD ABUSE AND CRIMINAL HISTORY BACKGROUND CHECKS TO EMS PROVIDERS IN THE COMMONWEALTH AS REQUIRED BY ACT 179 OF 2006.**

#### **Background:**

On November 29, 2006, Pennsylvania Governor Edward G. Rendell signed into law Senate Bill 1054 (Act 179 of 2006). This legislation calls for the expansion of background check requirements for the caregivers of children to be effective July 1, 2008. This Act brings Pennsylvania into compliance with federal legislation (Adam Walsh Child Protection and Safety Act of 2006), which requires additional criminal and child abuse registry background checks on certain individuals

The Pennsylvania legislation (Act 179) identifies one category of individuals as “Other Persons Having Contact with Children,” examples of which include: social workers, psychiatrists, hospital personnel, librarians, and doctors. This Act requires these persons to obtain an FBI criminal history background check, PA State Police criminal history background check, and PA Child Abuse background check as a condition of initial employment. The current cost associated with all three (3) reports is \$56.00.

JNet, the criminal history reporting system currently used by the Bureau of EMS, reports criminal convictions after they are entered into the Pennsylvania Justice Network. Candidates for certification are also processed through JNet, and EMS providers are currently required to self-report any criminal convictions to the Bureau of EMS.

The EMSC Advisory Board believes the category within Act 179 referred to as “Other Persons Having Contact with Children,” applies to all levels of EMS providers. The PEHSC, in cooperation with the PA Fire and Emergency Services Institute, has attempted to secure a legal opinion with regard to EMS providers, but as of today no opinion has been rendered.

#### **Rationale:**

The collection of child abuse and criminal history background checks by employers of potential employees is common practice in many industries and is an appropriate practice for employers of EMS practitioners to ensure the safety of Pennsylvania’s children.

Although JNet offers valuable information and can be an important piece of the process, unfortunately, as require in the law, JNet does not specifically link to the PA Childline or federal criminal history databases for actions that do not result in a criminal conviction.

**APPROVED BY THE BOARD OF DIRECTORS JUNE 10, 2009**