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Resolve, To Review the Maine Registry of Certified Nursing Assistants

Sec. 1 Convene working group. Resolved: That the Department of Health and Human Services shall convene a working group to examine and make recommendations for changes to the current law prohibiting an individual from employment as a certified nursing assistant in certain settings if the individual has been convicted of a crime involving abuse, neglect or misappropriation of property in a health care setting. The working group must include representatives of the department, the long-term care ombudsman program, advocates for victims of sexual assault, law enforcement officials, direct care workers and employers. At least one member of the working group must have expertise in the Maine Criminal Code; and be it further

Sec. 2 Review. Resolved: That the working group under section 1 shall review the list of crimes that preclude an individual from employment as a certified nursing assistant in certain settings and make recommendations for changes, including, but not limited to, the addition of crimes involving sexual assault and violence. The working group shall consider issues related to the duration of the employment prohibition, the direct care workers to which it is applicable and whether the law should be retroactive; and be it further

Sec. 3 Report recommendations. Resolved: That, by January 1, 2010, the Department of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Criminal Justice and Public Safety the findings and recommendations of the working group under section 1, including any necessary implementing legislation; and be it further

Sec. 4 Legislation. Resolved: That, after receipt and review of the report and recommendations submitted pursuant to section 3, the Joint Standing Committee on Health and Human Services may submit legislation to the Second Regular Session of the 124th Legislature.