

Overview of KARES Program

Kentucky Applicant Registry and Employment Screening Program

The KARES regulation 906 KRS 1:190 was approved by the Interim Joint Committee on Health and Welfare on November 20, 2013.

- ✓ The proposed KARES program is designed to meet National Background Check Program grant requirements, thus it focuses on long-term care facilities and providers.
- ✓ Requires a finger-print supported check of nationwide criminal databases, plus provides checks of the Kentucky Child Abuse & Neglect (CAN) Central Registry (availability might be delayed at rollout), Nurse Aid Abuse Registry, the Federal OIG “List of Exclusive Individuals/Entities” (LEIE) database, and other professional boards. Any findings would be a disqualifying event.
- ✓ Creates a “Clear to Hire” system (employer will NOT be provided specific information about the disqualifying event).
- ✓ States that participation is voluntary for privately owned facilities & individuals who self-direct services, but mandatory for state-owned or operated health facilities and many CHFS employees.
- ✓ States that the costs are initially subsidized by a federal grant, but will eventually be approximately \$63/applicant. Because of state law (KRS 336.220) this must be paid by employer.
- ✓ Provides a restricted trust and agency fund for the operation of the KARES program.
- ✓ States that if initial screening is clear, applicant may be hired on provisional basis, up to 60 days while criminal background checks are completed.
- ✓ Provides that applicant must have finger prints collected at one of 35 career center sites.
- ✓ Provides that the Office of Inspector General will review result to determine whether “clear to hire.”
- ✓ Provides that applicant can request rehabilitation review, if certain disqualifying events are found.
- ✓ Provides that applicant may request an informal review of, or appeal the OIG’s “fitness determination” via an administrative hearing.
- ✓ Provides that applicant may challenge the accuracy or completeness of any information contained in their criminal background check by contacting the Kentucky State Police.

Until passage of separate legislation which both authorizes the “adult abuse registry” and appropriates funds to support the registry’s due process component, KARES is not able to include the adult abuse registry. The adult abuse registry will be added to KARES only if separate legislation is passed.