**Section 955.150 Employment Prohibition**

a) *A health care employer or long-term care facility may hire, employ, or retain*, whether on a paid or volunteer basis, *any individual in a position involving direct care for clients, patients, or residents,* and a long-term care facility may hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties that involve *access to the living quarters or the financial, medical, or personal records of clients, patients, or residents, who has been convicted of committing or attempting to commit one or more of the following offenses only with a waiver described in Section 40* of the Act and Section 955.160 of this Part. (Section 25(a) of the Act)

b) *A health care employer shall not hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties involving direct care of clients, patients, or residents, and no long-term care facility shall knowingly hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties that involve or may involve contact with residents or access to the living quarters or financial, medical, or personal records of residents, if the health care employer becomes aware that the individual has been convicted in another state of committing or attempting to commit an offense that has the same or similar elements as an offense listed in* Section 25 of the Act and Section 955.160 of this Part *as verified by court records, records from a State agency* (e.g., Department of Corrections records)*, or an FBI criminal history record check, unless the applicant or employee obtains a waiver pursuant to* *Section 40 of the Act* and this Part. *This shall not be construed to mean that a health care employer has an obligation to conduct a criminal history records check in other states in which an employee has resided.* (Section 25(b) of the Act)

c) *A health care employer shall not hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties involving direct care of clients, patients, or residents who has a finding by the Department of abuse, neglect, misappropriation of property, or theft denoted on the Health Care Worker Registry.* (Section 25(c) of the Act)

d) *A health care employer shall not hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties involving direct care of clients, patients, or residents if the individual has a verified and substantiated finding of abuse, neglect, or financial exploitation, as identified within the Adult Protective Service Registry established under Section 7.5 of the Adult Protective Services Act.* (Section 25(d) of the Act)

e) *A health care employer shall not hire, employ, or retain, whether paid or on a volunteer basis, any individual in a position with duties involving direct care of clients, patients, or residents who has a finding by the Department of Human Services of physical or sexual abuse, financial exploitation, or egregious neglect of an individual denoted on the Health Care Worker Registry*. (Section 25(e) of the Act)

(Source: Amended at 43 Ill. Reg. 3665, effective March 1, 2019)