

65-6205. Background information on certain applicants for employment; request for information by certain entities; exemption from civil liability for certain actions taken in good faith based on such information. (a) A community service provider as defined in K.S.A. 39-1803, and amendments thereto, a mental health center as defined in K.S.A. 65-4432, and amendments thereto, and an independent living agency as defined in K.S.A. 65-5101, and amendments thereto, may request for the purpose of obtaining background information on applicants for employment with such entity information:

(1) From the Kansas department for children and families as to whether such applicant has committed an act of physical, mental or emotional abuse or neglect or sexual abuse as validated by the Kansas department for children and families pursuant to K.S.A. 2016 Supp. 38-2226, and amendments thereto;

(2) from the Kansas department for children and families as to whether such applicant has been found to have committed an act of abuse, neglect or exploitation of a resident as contained in the register of reports under K.S.A. 39-1404, and amendments thereto, or an act of abuse, neglect or exploitation of an adult as contained in the register of reports under K.S.A. 39-1434, and amendments thereto;

(3) from the department for aging and disability services as to whether such applicant has been found to have committed an act of abuse, neglect or exploitation of a resident as contained in the register of reports under K.S.A. 39-936 and 39-1411, and amendments thereto;

(4) from the department for aging and disability services any information concerning the applicant in the state registry which contains information about unlicensed employees of adult care homes under K.S.A. 39-936, and amendments thereto.

(b) No community service provider, mental health center or independent living agency shall be liable for civil damages to any person refused employment, discharged from employment or whose terms of employment are affected because of actions taken by the community service provider, mental health center or independent living agency in good faith based on information received under this section.

History: L. 1997, ch. 161, § 4; L. 2006, ch. 200, § 111; L. 2014, ch. 115, § 271; July 1.