

## **Criminal Record Check Policy for Consumer/Employers**

Consumers who choose to be the employers of their attendants (hereafter referred to as “consumer/employers”) must decide whether or not they want to have criminal record checks performed on the attendants that they hire through the assistance of the Pennsylvania Attendant Care Program. Consumer/Employers will be informed about their responsibilities as an employer and about their ultimate responsibility, as consumer/employers, for their own personal health and safety in their own homes. Consumer/employers will be informed about the importance of having criminal record checks performed on any and all attendants that they intend to employ.

Criminal record checks will be performed at no cost to the consumer. Performance of the criminal record check and its cost will be the responsibility of the Contractor/Provider that provides the service coordination and support for the consumer/employer.

Consumers must choose whether or not they want to perform criminal record checks on Personal Care Attendants that they hire by completing the form below.

### **Responsibility for Employment of Attendants**

If a consumer/employer chooses to have a criminal record check completed and this check reveals that an attendant has a criminal record, it will be the consumer/employer’s decision whether or not to employ the person as an attendant. The consumer/employer’s decision to employ an attendant with a criminal record and the consumer/employer’s acceptance of responsibility for any consequences must also be documented by the signature of the consumer and retained in the consumer’s file.

**Consumer Selection of Criminal Record Check Option**

- I have read the above policy and it is my decision **not to request criminal record checks on the attendants** that I choose to employ through the assistance of the Pennsylvania Attendant Care Program.
- I have read the above policy and **I retain the right to request a criminal record check on attendants** that I choose to employ through the assistance of the Pennsylvania Attendant Care Program.
- I have read the above policy and **I request a criminal record check on all attendants** that I choose to employ through the assistance of the Pennsylvania Attendant Care Program.
- I choose to employ an attendant **on an interim basis pending completion of a criminal record check** and accept responsibility for my decision.

**Consumer/Employer Acceptance of Responsibility for Employment**

As a consumer/employer, I have the right to choose to hire and employ an attendant with a known criminal record. In doing so, I understand that this decision and the consequences thereof are my sole responsibility. In making any and all hiring decisions as a consumer/employer, I agree to hold harmless from any claims and responsibility the agency that I have chosen to provide me with the Attendant Care Service, the agent I have chosen as my Fiscal Agent, the Department of Public Welfare, and any and all of their employees and agents.

Consumer Signature \_\_\_\_\_

Date \_\_\_\_\_

Contractor/Provider Signature \_\_\_\_\_

Date \_\_\_\_\_