

Attachment A

- (a) (1) Except as provided in paragraph (2), the board shall require an applicant for initial licensure or renewal or reinstatement of a license under this act to submit to a state and national criminal history record check.
- (2) The board may require an applicant for renewal of a license to submit to a state and national criminal history record check if such applicant has submitted to a state and national criminal history record check within the last five years.
- (3) Applicants for a multistate license shall be fingerprinted and the board shall submit such fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a search of the state and federal database.
- (4) Fingerprints and criminal history record information provided pursuant to this section may be used to identify a person and to determine whether such person has a record of criminal history in this state or another jurisdiction. The board may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the person to be issued or to maintain a license or multistate practice privilege under the social work compact.
- (5) The Kansas bureau of investigation shall release criminal history record information related to adult convictions to the board for a licensee as defined in this section in connection with such application or license as described in K.S.A. 65-6306, and amendments thereto.
- (b) Local and state law enforcement officers and agencies shall assist the board in taking and processing of fingerprints of applicants for multistate licensure and shall release all records of adult convictions to the board for the purposes set forth in subsection (a)(4).
- (c) The Kansas bureau of investigation may charge a reasonable fee for conducting a criminal history record check.
- (d) (1) Fingerprints and criminal history record information received pursuant to this section shall be confidential and shall not be subject to the provisions of the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall expire on July 1, 2029, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2029.
- (2) Disclosure or use of any information received pursuant to this section for any purpose other than the purpose described in this section shall be a class A nonperson misdemeanor and shall constitute grounds for removal from office.
- (e) As used in this section, "licensee" means a person who has submitted an original application for or an application for renewal or reinstatement of a license or a person who currently holds a license under this act issued by the behavioral sciences regulatory board.
- (f) This section shall be a part of and supplemental to the social workers licensure act.