

3.2. Employment Applications and Background Check Policy

ITN Health America LLC relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

ITN Health America LLC is required to check the Health Care Worker Registry before hiring an employee to determine:

1. Whether a fingerprint-based criminal history records check has previously been conducted;
 - a. As long as the applicant/employee has had a background check and stays active on the Health Care Worker Registry, no further fingerprint-based criminal history record checks are required
 - b. If the individual has disqualifying convictions and a waiver has not been granted under applicable law, the individual will not be hired by ITN Health America.
2. Whether the individual is active on the Health Care Worker Registry:
 - a. If an individual is inactive on the Health Care Worker Registry, that individual is prohibited from being hired to work as a certified nursing assistant if, since the individual's most recent completion of a competency test or the date the individual was deemed competent by the Department of Public Health, there has been a period of 24 consecutive months during which the individual has not provided nursing or nursing-related services for pay
 - b. If the individual can provide proof of having retained his or her certification by not having a 24-consecutive-month break in service for pay, he or she may be hired as a certified nursing assistant and that employment information shall be entered into the Health Care Worker Registry.
 - c. Not retaining his or her certification does not prevent that individual from being hired by ITN Health America LLC in a position that does not require the individual to be a certified nursing assistant.

If the applicant has not had a background check or is not active on the Health Care Worker Registry, then ITN HEALTH AMERICA LLC will initiate a fingerprint-based criminal history records check.

ITN HEALTH AMERICA LLC will also conduct internet searches on certain web sites, including without limitation the Illinois Sex Offender Registry, the Department of Corrections' Sex Offender Search Engine, the Department of Corrections' Inmate Search Engine, the Department of Corrections' Wanted Fugitives Search Engine, the National Sex Offender Public Registry, and the website of the Health and Human Services Office of Inspector General to determine if the applicant has been adjudicated a sex offender, has been a prison inmate, or has committed Medicare or Medicaid fraud, or will conduct similar searches provided by the web-based application.

Any applicant or employee who desires to be included on the Department of Public Health's Health Care Worker Registry shall authorize the Department of Public Health or its designee to request a fingerprint-based criminal history records check to determine if the individual has a conviction for a disqualifying offense by completing and signing an authorization and disclosure form. This authorization shall allow the Department of Public Health to request and receive information and assistance from any State or local governmental agency.

1. ITN HEALTH AMERICA LLC may initiate a required fingerprint-based criminal history records for any of its employees or volunteers to whom the Health Care Worker Background Check Code applies, but may not use this process to initiate background checks for residents or for employees or volunteers not covered by the Health Care Worker Background Check Code. The results of any fingerprint-based criminal history records check required by said Code shall be entered in the Health Care Worker Registry.
2. ITN HEALTH AMERICA LLC shall not use the processes and procedures provided in the Code to conduct a fingerprint-based criminal history records check for any purpose not authorized by law.
3. Nothing in this Section prohibits ITN HEALTH AMERICA LLC from using means other than the processes and procedures provided by law to conduct a criminal history

records check of any applicant or employee who is not covered by the Health Care Worker Background Check Code.

4. Prior to making a conditional offer of employment to an applicant who is not exempt by law, for a position as an employee, ITN HEALTH AMERICA LLC will initiate a fingerprint-based criminal history records check on the applicant, if such a background check has not been previously conducted. ITN HEALTH AMERICA LLC will not use the fingerprint-based criminal history records check process provided in the Health Care Worker Background Check Code to initiate background checks for applicants for employment positions to which said Code does not apply.
5. The applicant or employee shall go to a livescan vendor and have his or her fingerprints collected electronically and transmitted to the Department of State Police within 10 working days after signing the authorization and disclosure form. Each individual shall submit his or her fingerprints in an electronic manner prescribed by the Department of State Police.
6. The applicant or employee shall bring the portion of the livescan request form that is completed by the livescan vendor back to ITN HEALTH AMERICA LLC as proof that his or her fingerprints have been collected. ITN HEALTH AMERICA LLC will then provide the transaction control number, obtained from this portion of the livescan request form, whenever any follow-up inquiries are made about the progress of the background check being processed.
7. If the fingerprints are rejected by the Department of State Police, the applicant or employee shall go to a livescan vendor and have his or her fingerprints collected electronically a second time.
8. If the fingerprints are rejected by the Department of State Police a second time, ITN HEALTH AMERICA LLC will conduct a complete name-based UCIA criminal history records check through the Department of State Police and mail a copy of the results of the background check to the Department within 10 working days after receipt. The UCIA criminal history records check shall be requested as prescribed by the Department of State Police. The results of the UCIA criminal history records check

shall have been issued by the Department of State Police no earlier than 31 days prior to hire. A UCIA name-based criminal history records check may be used only when there is proof that the individual's fingerprints have been rejected twice by the Department of State Police within the previous 12 months.

9. If the applicant or employee does not go to a livescan vendor and have his or her fingerprints collected electronically within 10 working days, the individual shall be suspended from working if an employee, until such time as proof is provided that the individual has had his or her fingerprints collected electronically from a livescan vendor.
10. If the student, applicant, or employee has not had his or her fingerprints collected electronically by a vendor within 30 days after being hired or beginning a training program, the employee shall be terminated. ITN HEALTH AMERICA LLC will then withdraw the background check application from the Health Care Worker Registry.
11. Any applicant or employee who is not a certified nursing assistant may be required to pay all related application and fingerprinting fees.
12. The results of the criminal history records checks shall be maintained by the Department of Public Health's Health Care Worker Registry as long as the employee stays active on the Registry.
13. ITN Health America LLC may conditionally employ an applicant for up to three months pending the results of a fingerprint-based criminal history records check required by the Health Care Worker Background Check Code. During this time, the employee shall have adequate supervision, which is the type and frequency of supervision required to prevent abuse, neglect, or theft regarding patients, clients, or residents.
14. If the Department of State Police notifies the Department of Public Health that an employee has a new conviction of a disqualifying offense, based upon fingerprints that were previously submitted, then the individual shall no longer be eligible to work as an employee unless he or she obtains a waiver pursuant to the Health Care Worker Background Check Code.

ITN Health America LLC shall provide an employment verification and update the demographic information for each employee on an annual basis. ITN Health America LLC will log into the Health Care Worker Registry through a secure login in a method prescribed by the Department of Public Health. Additionally, ITN Health America LLC will indicate employment and termination dates within 30 days after hiring or terminating an employee.