

NOTIFICATION OF EMPLOYMENT RESTRICTIONS AS REQUIRED BY 22 MRSA §1812-G, (9)

In May 2003, the Maine Legislature passed and Governor Baldacci signed into law, LD 780 which requires that a health care institution, facility or organization that employs certified nursing assistants shall, before hiring a Certified Nursing Assistant, verify with the Maine CNA Registry that the person is listed on the Registry of Certified Nursing Assistants.

The Local Education Agency must notify you prior to your acceptance into this Certified Nursing Assistant Program that if you have been convicted or been incarcerated for a crime, as described below, you **will not** be eligible to work as a Certified Nursing Assistant in Maine even if you successfully complete the CNA program and Competency Examination.

22 MRSA §1812-G, (6) – (8) state:

Except as otherwise provided in this section:

- A. An individual may not be employed in a hospital, nursing facility, home health agency or assisted housing program as a certified nursing assistant if that individual has been convicted in a court of law of a crime involving abuse, neglect or misappropriation of property in a health care setting; and
- B. An individual may not be employed in a hospital, nursing facility, home health agency or assisted housing program as a certified nursing assistant if that individual:
 - (1) Has been the subject of a complaint involving abuse or neglect that was substantiated by the department (Human Services) pursuant to its responsibility to license hospitals, nursing facilities, home health agencies and assisted housing programs and that was entered on the Maine Registry of Certified Nursing Assistants; or
 - (2) Has been the subject of a complaint involving the misappropriation of property in a health care setting that was substantiated by the department (Human Services) and entered on the Maine Registry of Certified Nursing Assistants.

Time Limit on consideration of prior criminal conviction.

Except as otherwise noted in this section:

An individual may not be employed in a hospital, nursing facility home health agency or assisted housing program as a certified nursing assistant if that individual has a prior criminal conviction within the last 10 years of:

- A. A crime for which incarceration of 3 years or more may be imposed under the laws of the state in which the conviction occurred; or
- B. A crime for which incarceration of less than 3 years may be imposed under the laws of the state in which the conviction occurred involving sexual misconduct or involving abuse, neglect or exploitation in a setting other than a health care setting.

I have read and understand the information in this document. **I understand that the staff of this local education agency may verify the information provided by me through a State Bureau of Investigation check with the State Police.** *The information on this application is truthful and that knowingly making a false statement on this application may subject me to prosecution under the applicable Maine law.*

Applicant's Complete Signature

Date of Application

Program Director

Program Instructor

PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. Have you **ever** been denied a Nursing Assistant certificate/license?
2. Have you **ever** had any disciplinary action (probation, suspension, revocation or reprimand) taken against your Nursing Assistant certificate/license?
3. Have you **ever** been convicted of **any** crime under the laws of the state of Maine?
4. Have you **ever** appeared in any court, paid any fine or been put on probation?
5. Have you **ever** been convicted of **any** crime under the laws of any other state?
6. Have you **ever** been convicted of **any** crime under the federal laws of the United States?
7. Have you **ever** been convicted of **any** crime under the laws of any other country?

If you have answered “**yes**” to questions 1 or 2, you must attach an explanatory letter with the location and date of each occurrence. If you answered “**yes**” to questions 3, 4, 5, or 6, please attach court documents pertaining to each conviction. If you are unsure whether you have been convicted of a crime, you must attach an explanatory letter.