CHAPTER 692C

NATIONAL CRIMINAL HISTORY RECORD CHECKS

Referred to in §331.307, 364.22

692C.1 National criminal history record checks — persons providing child care, elder care, and care for individuals with disabilities.

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1. For purposes of this section:

a. *"Covered individual"* means an individual who has, seeks to have, or may have access to children, the elderly, or individuals with disabilities served by a qualified entity and who is employed by, volunteers with, or seeks to volunteer with a qualified entity; or owns or operates or seeks to own or operate, a qualified entity.

b. *"Department"* means the department of public safety.

c. *"Qualified entity"* means a business or organization, whether public, private, for-profit, nonprofit, or voluntary, that provides care or care placement services, including a business or organization that licenses or certifies others to provide care or care placement services.

2. A qualified entity may request a national criminal history record check by the federal bureau of investigation on covered individuals through the department of public safety.

3. The qualified entity shall submit fingerprints and other identifying information to the division of criminal investigation of the department on a form and in a manner as prescribed by the department. The department shall submit the information through the state criminal history repository to the federal bureau of investigation.

4. The department may use authority conferred under the National Child Protection Act, as codified in 34 U.S.C. §40104, in conducting national criminal history record checks on covered individuals.

5. The department may require a qualified entity to pay a fee associated with a national criminal history record check. The fee shall not exceed the actual cost of the national criminal history record check.

6. The results of national criminal history record checks are a confidential record under section 22.7.

7. The department shall adopt rules as necessary for the administration of this section pursuant to chapter 17A.

2019 Acts, ch 60, §1; 2019 Acts, ch 89, §20