

## HOUSE BILL No. 2302

By Committee on Health and Human Services

2-12

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1 AN ACT concerning the Kansas department of health and environment;  
2 relating to drug screening, criminal history record check and  
3 fingerprinting of certain persons and employees.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) The secretary of health and environment shall require  
7 any person offered a position of employment in and any employee of the  
8 office of laboratory services of the Kansas department of health and  
9 environment that will have access to a secured biological laboratory to be  
10 fingerprinted and submit to a state and national criminal history record  
11 check. Such person offered a position of employment or employee shall be  
12 given written notice that a fingerprinting and state and national criminal  
13 history record check is required as a condition of initial and continued  
14 employment. The fingerprints shall be used to identify such person offered  
15 a position of employment or employee and to determine whether such  
16 person offered a position of employment or employee has a record of  
17 criminal history in this state or other jurisdiction. The secretary of health  
18 and environment shall submit the fingerprints to the Kansas bureau of  
19 investigation and the federal bureau of investigation for a state and  
20 national criminal history record check. Local and state law enforcement  
21 officers and agencies shall assist the secretary of health and environment  
22 in the taking and processing of fingerprints of such persons offered  
23 positions of employment or employees.

24 (b) The secretary of health and environment shall require any person  
25 offered a position of employment in and any employee of the office of  
26 laboratory services of the Kansas department of health and environment  
27 that will have access to a secured biological laboratory to submit to a drug  
28 screening as a condition of initial and continued employment. Such person  
29 offered a position of employment or employee shall be given written  
30 notice that a drug screening is required as a condition of initial and  
31 continued employment. Drug screening shall be conducted as prescribed  
32 by the secretary of administration.

33 (c) The secretary of health and environment shall use the information  
34 obtained from fingerprinting and criminal history for the purposes of  
35 verifying the identification of any person offered a position of employment  
36 or employee in the official determination of the eligibility of such person

1 or employee to perform tasks within the office of laboratory services. If  
2 criminal history record information or results of drug screening is used to  
3 disqualify a person offered a position of employment or terminate an  
4 employee, such person offered a position of employment or employee  
5 shall be informed in writing of the purpose of such disqualification or  
6 termination from employment.

7 (d) As a condition of continued employment, any employee who has  
8 access to a secured biological laboratory in the office of laboratory  
9 services of the Kansas department of health and environment shall be  
10 subject to periodic drug screenings and state and national criminal history  
11 record checks at a frequency determined by the secretary.

12 Sec. 2. This act shall take effect and be in force from and after its  
13 publication in the Kansas register.