

## §9066. Portability

**1. Portability authorized.** A direct access worker may choose to transfer the worker's background check report to another employer. The direct access worker may choose to transfer confidential information contained in the worker's background check report, as long as the background check used a biometric identifier, when:

A. The direct access worker agrees to submit to the requirements of this chapter; [PL 2023, c. 241, §82 (NEW).]

B. The direct access worker signs a statement releasing the confidential information to the new employer; [PL 2023, c. 241, §82 (NEW).]

C. The employer verifies and documents that the direct access worker has submitted the mandatory identity verification and employment eligibility documents required by rules adopted in accordance with this chapter; and [PL 2023, c. 241, §82 (NEW).]

D. The employer ensures the background check was completed within the last 5 years and enters the direct access worker into the rap back monitoring program. [PL 2023, c. 241, §82 (NEW).]  
[PL 2023, c. 241, §82 (NEW).]

### SECTION HISTORY

PL 2023, c. 241, §82 (NEW).

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