

By: Senator(s) Hyde-Smith

To: Public Health and Welfare

SENATE BILL NO. 2850

1 AN ACT TO AMEND SECTION 37-33-157, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE STATE DEPARTMENT OF REHABILITATION SERVICES TO
3 PERFORM CRIMINAL RECORD BACKGROUND CHECKS OR OTHER NEGLECT CHECKS
4 ON EMPLOYEES, VOLUNTEERS OR CONTRACT WORKERS; AND FOR RELATED
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 37-33-157, Mississippi Code of 1972, is
8 amended as follows:

9 37-33-157. The Department of Rehabilitation Services shall
10 provide the rehabilitation services authorized by law and by the
11 rules, regulations and policies of the board to every individual
12 determined to be eligible therefor, and in carrying out the
13 purposes of this chapter the department is authorized, when
14 consistent with the rules, regulations and policies of the State
15 Board of Rehabilitation Services:

16 (a) To expend funds received either by appropriation or
17 directly from federal or private sources;

18 (b) To cooperate with other departments, agencies and
19 institutions, both public and private, in providing the services
20 authorized by this chapter to disabled individuals, in studying
21 the problems involved therein, and in establishing, developing and
22 providing in conformity with the purposes of this chapter, such
23 programs, facilities and services as may be necessary or
24 desirable;

25 (c) To enter into reciprocal agreements with other
26 states to provide for the services authorized by this chapter to
27 residents of the states concerned;



28 (d) To conduct research and compile statistics relating
29 to the provision of services to or the need of services by
30 disabled individuals;

31 (e) To enter into contractual arrangements with the
32 federal government and with other authorized public agencies or
33 persons for performance of services related to rehabilitation;

34 (f) To contract with schools, hospitals and other
35 agencies, and with doctors, optometrists, nurses, technicians and
36 other persons, for training, physical restoration, transportation
37 and other rehabilitation services;

38 (g) To take such action as may be necessary to enable
39 the department to apply for, accept and receive for the state and
40 its residents the full benefits available under the federal
41 Vocational Rehabilitation Act, and any amendments thereto, and
42 under any other federal legislation or program having as its
43 purpose the providing of, improvement or extension of, vocational
44 rehabilitation services;

45 (h) To establish an Office on the Deaf and Hard of
46 Hearing to provide services and activities authorized under
47 Section 37-33-171;

48 (i) To own in the name of the State of Mississippi
49 certain real property described in Section 7 of Chapter 512, Laws
50 of 2005, and to construct, renovate or repair under the
51 supervision of the Department of Finance and Administration any
52 buildings on such property;

53 (j) To fingerprint and perform a current criminal
54 record background check, child abuse registry check, sex offender
55 registry check, vulnerable adults or neglect check on including,
56 but not limited to, every employee, volunteer, contractual worker
57 and independent contractor;

58 (k) To utilize results of such fingerprinting and
59 background checks for the purposes of employment decisions and/or



60 actions and service provision to consumers of the department's
61 services;

62 (1) To be exempt from liability for any findings,
63 recommendations or actions taken pursuant to this section; to
64 include the department, its agents, officers, employees, attorneys
65 and representatives.

66 **SECTION 2.** This act shall take effect and be in force from
67 and after July 1, 2010.

