



## Facts About The

### WAIVER APPLICATION FOR HEALTH CARE WORKERS

#### Illinois Department of Public Health

Health Care Worker Registry, 525 W. Jefferson St., Fourth Floor, Springfield, IL 62761  
Phone 217-785-5133 Fax 217-524-0137 E-mail [DPH.HCWR@Illinois.gov](mailto:DPH.HCWR@Illinois.gov)

You must complete a waiver application and have a fingerprint criminal history records check requested by the Department through a contracted livescan vendor. No other background check will be accepted. Please check our Web site at <http://www.idph.state.il.us/nar> for a full list of disqualifying offenses and a waiver application. After the Department receives your waiver application, you will be sent instructions for having your fingerprints collected.

The Health Care Worker Background Check Act, an Illinois state law, prevents many health care employers from hiring an individual who has certain criminal convictions as a direct care worker and, in long-term care facilities, from being hired as a worker who has or may have access to residents, their living quarters or their financial, medical or personal records (access worker).

A waiver does not change your criminal record but it does allow an employer to hire you as a direct care worker or an access worker in long-term care.

Many considerations are taken into account when reviewing a waiver application.

- Except in the instance of scheduled payments of court-imposed fines or restitutions, you must have met all obligations to the court and the terms of your parole (i.e. fines must be paid and parole, probation or mandatory supervised release successfully completed).
  - You must have satisfactorily completed a drug and/or alcohol recovery program if you were ordered to as part of the judgment.
  - Your age at the time of the offense, your work history, your criminal history in Illinois and other states, the amount of time since your last conviction, the severity of your conviction, and the circumstance surrounding your conviction, as well as other evidence that you provide are all considered in determining whether a waiver is granted.
  - You are less likely to have a waiver granted if you have several convictions in recent years or if your offenses were violent crimes. There are three categories of disqualifying offenses: Offenses that are always disqualifying except through the appeal process; offenses that may be considered for a rehabilitation waiver without a waiver application being submitted; and offenses that may be considered for a waiver by submitting a waiver application and additional required information.
4. You may have been convicted and not sent to jail. An individual may be fined, given probation or conditional discharge and it still be considered a conviction. If you are unsure whether an arrest or charge became a conviction, contact the circuit clerk of the county in which you were arrested.
  5. If granted a waiver it is in effect until you are convicted of another disqualifying offense, which causes the waiver to be automatically revoked. Health care employers must check the Health Care Worker Registry (<http://www.idph.state.il.us/nar>) to see if you have met any training requirements, have any administrative findings and to determine if you have disqualifying offenses or a waiver. No other source of information (i.e. a waiver letter, certificate of achievement, etc.) may be accepted. The information on the registry is the only means a health care employer may use to verify that the worker is eligible for employment.