**State of Maine Statutes Approved by FBI for Criminal History Record Information Searches**

(Director Matthew Ruel, DPS, State Bureau of Identification, November 1, 2021)

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| Educational Personnel (20-A MeRSA § 6103) |
| Commercial beano/bingo hall permits (17 MeRSA § 328) |
| Prospective non-biological adoptive parents (18-A MeRSA § 9-304) A. Requests by District and Probate Courts (Subsection 9-1)  B. Requests by Department of Human Services (Subsection 9-2) |
| Applicants for a license issued by the Gambling Control Board (8 MeRSA § 1005) |
| Applicants to adopt a child in custody of Department of Health and Human Services [18MeRSA § 9-304 sub-§ (a-2)] |
| Bureau of Revenue Services (36 MeRSA § 194-D) A. Applicant for employment with the bureau;  B. A contractor for the bureau, including the contractor's employees, subcontractors and subcontractors’ employees, who provides or is assigned to provide services to the bureau under an identified contract. For the purposes of this section, “identified contract” means a contract that the assessor determines involves access or the Substantial possibility of access to the bureau’s Information technology systems or to confidential tax information;  C. A current employee of the bureau; or  D. An employee or contractor, including the contractor's respective employees, subcontractors and subcontractors’ employees, of another state agency, if the assessor determines the employee's or contractor's duties involve access or the substantial possibility of access to federal tax information obtained from the bureau. |
| Applicants for a real estate appraiser license (32 MeRSA 14021, sub-§ 7) |
| Applicants for an Inland Fisheries and Wildlife guide license (12 MeRSA 12853, sub-§ 4-A) |
| State Board of Nursing – Licensed practical nurses, registered nurses and advanced practice registered nurses applying for initial licensure or licensure by endorsement (32 MeRSA § 2111) |
| Board of Osteopathic Licensure – Applicant for an expedited Osteopathic license (32 MeRSA § 2571-A) |
| Board of Licensure in Medicine – Applicant for an expedited Physician license (32 MeRSA § 3275-A) |
| Department of Health and Human Services  1. Each child care staff member who is employed by a child care facility for compensation, including a contract employee or self-employed individual or whose activities involve the care or supervision of children for a child care facility or unsupervised access to children who are cared for or supervised by a child care facility (22 MeRSA §§ 8302-A(1)(J) and 8302-C)  2. Family child care provider and each child care staff member who is employed by a family child care provider for compensation, including a contract employee or self-employed individual whose activities involve the care or supervision of children for a family child care provider or unsupervised access to children who are cared for or supervised by a family child care provider, or who is 18 years of age or older and who resides in the home of a family child care provider (22 MeRSA §§ 8302-A(2)(K) and 8302-C)  3. A person who provides day care in that person’s home for one or 2 children whose care is paid for by state or federal funds and a child care staff member of the person as defined in 22 MeRSA §§ 8302-A(2)(K).  (22 MeRSA § 8302-B(1) and 8302-C)  4. Any staff member of a children’s residential care facility. Staff member is defined as an individual who is employed by, or has applies for and may be offered employment at, a children’s residential care facility, including a contract employee or self-employed individual, whether or not the individual has direct contact with children. (22MeRSA § 8110)  5. Any person employed by the department, who may be offered employment by the department or who is employed by or may be offered employment by a department contractor or subcontractor (19-A MeRSA 2111) |
| Department of Administrative and Financial Services  1. Caregivers administering medical marijuana on school grounds (22 MeRSA § 2425-A(3-A)  2. Applicants for a license to operate a marijuana establishment including every officer, director, manager, and general partner. Marijuana establishment is defined 28-B MeRSA § 102 as:  a. A cultivation facility  b. A products manufacturing facility  c. A testing facility; or  d. A marijuana store (28-B MeRSA §§ 202 and 204)  3. A licensee and, owners, officers, managers, contractors, employees or other support staff of the licensee, for the issuance of individual identification cards. (28-B MeRSA §§ 106 and 204) |
| Office of State Auditor (5 MeRSA § 247)  1. Any person employed by or who may be offered employment by the Office of the State Auditor. |
| Bureau of Unemployment Compensation (26 MeRSA § 1085)  1. An applicant for employment with the bureau who will have access to federal tax information as part of that employment;  2. A contractor, including their respective employees, subcontractors and subcontractors’ employees, who provides or is assigned to provide services to the bureau under an identified contract. For the purposes of this subparagraph, “identified contract” means a contract that the Director of Unemployment Compensation determines involves access, or the substantial possibility of access, to the bureau’s information technology systems that contain federal tax information;  3. An employee of the bureau who has or will be given access to federal tax information as part of that employee’s employment with the bureau and has not undergone a federal background investigation within the past 10 years; or  4. An employee or contractor, including their respective employees, subcontractors and subcontractors’ employees, of another State agency, if the bureau determines that their duties of the employee or contractor involve access or the substantial possibility of access through the bureau to federal tax information obtained from the United States internal Revenue Services or the Department of Administrative and Financial Services, Bureau of Revenue Services. |

Federal Government authorizes Maine to submit for processing or a person could bypass the state.

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| National Child Protection Act of 1993 (NCPA), Public Law 103-209, as amended by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322; the Volunteers for Children Act (VCA), 8, Public Law 105-251; and the Child Protection Improvements Act of 2018, Public Law 115-141; codified at 34 U.S.C. 40102 and 40104.  Covered individuals of qualified entities who provide care or care placement services children, the elderly, or individuals with disabilities, when that state has procedures established by state statute or regulation. "NCPA/VCA" must be indicated in the “Reason Fingerprinted Block.” Where applicable, the word "Volunteer" must also be indicated in the "Reason Fingerprinted Block" to obtain the reduced User Fee, i.e. - NCPA/VCA-Volunteer. |
| Adam Walsh Child Protection and Safety Act of 2006 Public Law 109-248, Section 153, codified at 34 U.S.C. 20962 Upon request of the Chief Executive Officer of a state, authorizes submissions from: a. child welfare agencies on prospective foster or adoptive parents. b. private or public elementary schools, private or public secondary schools, local educational agencies, or State educational agencies on in individuals employed by, under consideration for employment by, or otherwise in positions in which the individuals would work with or around children in the school or agency. |
| Real ID Act of 2005, Public Law 109-13, codified at 49 U.S.C. 30301 et seq. States are required to establish a security plan to background certain DMV employees and persons involved in the manufacture or production of driver's licenses as set Forth in a DHS Rule. |
| The Serve America Act (SAA), Sections 1612 and 1614, of (Pub L 111-13), codified at 42 U.S.C. 12645g, pertaining to National Service Criminal History Checks of individuals in covered positions. |
| The Commercial Motor Vehicle Safety Enhancement (CMVSE) Act of 1986, 49 U.S.C. Chapter 313 and Title 49 CFR § 384.228 authorize a state to complete a nationwide criminal history background check of all applicants for a commercial driver's license (CDL) and applicants for a license to be a CDL knowledge and skills test examiner. |
| The Child Care and Development Block Grant Act (CCDBGA) of 2014, Public Law 113-186 (42 U.S.C. 9858f) - An individual, other than an individual who is related to all children for whom child care services are provided, (a) who is employed by a child care provider for compensation or (b) who activities involve the care or supervision of children for a child care provider or unsupervised access to children who are cared for or supervised by a child care provider. |
| Fostering Connections to Success and Increasing Adoptions Act of 2008, Public Law 110-351 (42 U.S.C. § 671(a)(20)(C)) Pertaining to background checks of relative guardians before the relative guardian may receive kinship guardianship assistance payments on behalf of the child. This statute does not include volunteers. |
| Family First Prevention Services Act of 2018, Public Law 115-123 (42 U.S.C. § 671(a)(20)(D)) Pertaining to background checks of any adult working in a childcare institution, including a group home, residential treatment center, shelter or other congregate care setting. This statute does not include volunteers. |