

**From:** Kester, Tony  
**To:** Duncan, Debra <DDuncan@budget.sc.gov>  
**Date:** 11/5/2013 12:24:14 PM  
**Subject:** RE: S764 additional question

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Yes, we would pay for the background check.

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**From:** Duncan, Debra  
**Sent:** Tuesday, November 05, 2013 12:02 PM  
**To:** Kester, Tony  
**Subject:** S764 additional question

Tony,

Your response on the fiscal impact of implementing S764 did not mention any costs associated with the required criminal background check. Would the Office on Aging be responsible for that cost and if so how much would it be?

Section [43-35-240](#). (A) An individual may not be appointed as a guardian ad litem for a vulnerable adult in an abuse, neglect, or exploitation proceeding who:

(1) has been convicted of a crime enumerated in Chapter 3, Title 16, Offenses Against the Person; in Chapter 15, Title 16, Offenses Against Morality and Decency; in Article 3, Chapter 53, Title 44, Narcotics and Controlled Substances; in Section [43-35-85](#), Omnibus Adult Protection Act; in Chapter 25, Title 16, Criminal Domestic Violence; or Section [16-17-490](#), Contributing to the Delinquency of a Minor; or

(2) is or has ever been on the Department of Social Services Central Registry of Child Abuse and Neglect, the Sex Offender Registry, or listed as 'not in good standing' on the Nurse Aide Registry.

**(B) A criminal background check must be conducted for each volunteer guardian ad litem as required by the Vulnerable Adult Guardian ad Litem Program.**

Debra

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