



## Department of Health

KATHY HOCHUL  
Governor

MARY T. BASSETT, M.D., M.P.H.  
Commissioner

KRISTIN M. PROUD  
Acting Executive Deputy Commissioner

May 24, 2022

DAL: DHCBS 22-10  
Subject: Verification of Employment Requirement

Dear Administrator:

Regulations at 10 NYCRR 766.11(f)(i) and 10 NYCRR 766.11(g) require employers to verify the employment history of personnel and require that personnel records include verifications of employment history. Documenting verification of employment history is an important element in the hiring process, and it is important for all employers to comply with this process.

It has come to the attention of the Department that some employers are refusing to provide this information to other employers attempting to complete the hiring process. Instead, referrals are being made to outside vendors who charge a fee for verifying employment history. This DAL is to communicate that employers are not permitted to charge a fee or refer other employers to outside vendors to verify employment history, as it functions as a barrier to the efficient and effective creation of a stable, trained home care workforce.

Employers who are referred to vendors for employment verification should report this practice immediately to [homecare@health.ny.gov](mailto:homecare@health.ny.gov).

Sincerely,

Carol A. Rodat  
Director  
Division of Home and Community-Based  
Services

cc: Jennifer Treacy  
Mark Hennessey  
Valerie Deetz