

October 22, 2014

DAL: NH 14-03
Criminal History Record Check Letter for ACFs

Dear Administrator:

Effective January 1, 2015 a change in Social Services Law, Article 7, will require all Adult Care Facilities (ACF) to conduct a criminal history record check (CHRC) of prospective non-licensed, direct care employees. This change can be found at SSL Section 461 subsection t, and reads as follows:

§ 461-t. Review of criminal history information concerning prospective direct care employees. Every adult care facility shall conduct a criminal history record check of prospective direct care employees utilizing the procedures and standards set forth in article twenty-eight-E of the public health law.

I. Health Commerce Accounts

New York State Department of Health is updating the CHRC software to allow all ACF providers to interface with the CHRC program, to perform these background checks for prospective employees. This process is being updated to allow for increase accuracy and efficiency in assigning critical Health Commerce System (HCS) roles. CHRC program encourages providers to **verify and update the administrator role in your facility's HCS account** (see your HCS coordinator for confirmation/changes). The person in the administrator role will be responsible for assigning the "Authorized Person" (AP) using an automated form, which will be available later this year through upcoming software enhancements. The AP is the person authorized to request a background check for a prospective employee, and review legal determination letters.

II. Escrow Accounts

The CHRC program encourages you to setup an escrow account with our fingerprint vendor prior to **January 1, 2015**. For information regarding establishment of an escrow account, **contact the fingerprint vendor at <http://www.identogo.com/> or call 877-512-6962, then option 2, then 3 on the next menu**. This will provide a method for a provider to pay for processing fingerprints. At this time, \$101.45 in fingerprint fees is collected per prospective employee for the criminal history record check conducted by the FBI and DCJS. There are other methods of payment for the Live Scan process as well, however an escrow account is an excellent option for providers to make a payment.

III. Provider Reimbursement

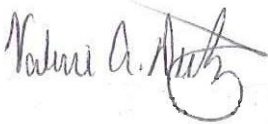
ACFs will receive reimbursement for the fingerprinting fees on a quarterly basis subject to availability of funds. **ACFs who are not on the State Financial System (SFS) must complete the attached Substitute W9 form (AC-3237-S), and fax the form to: 518-474-7477.** This will enable ACFs to be added to the State Financial System (SFS) where reimbursements are processed.

IV. Next Steps

You will receive a subsequent letter, which will instruct you on the necessary steps to implement a Criminal Record History Check at your facility. **CHRC staff will provide a webinar training on December 16th and 17th from 9:00 AM – 12:00 PM; please select one of those dates using the instructions per the attached training announcement.**

Thank you for your continued support and collaboration with the CHRC program in ensuring the safety of our most vulnerable populations. Please send all questions to the following BML address: chrc@health.ny.gov

Sincerely,



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Attachments: AC-3237-S, Webinar - CHRC Training for Adult Care Facilities