



Criminal Background Check Policy

SourcePoint mandates that all contracted providers have a Criminal Background check conducted through the Bureau of Criminal Investigations of all personnel who provide services to older adults. Further, providers must use one of the reason codes listed as per Conditions of Participation 4.8.8., Home Repair Conditions of Participation 4.4.8.

Purpose

1. To ensure full compliance with state laws.
2. To ensure the safety of **In-Home Care Services** clients.
3. To eliminate or minimize legal and financial liability risks.

Procedures

1. Prior to initiating a fingerprint check, the provider agency will review the applicant’s status in the following 6-databases for prohibited offenses and maintain results in the employee’s personnel record:

SAM	The U.S. General Services administration’s system for award management	www.sam.gov
OIG	The office of inspector general of the U.S. dept. of health and human services’ list of excluded individuals	https://oig.hhs.gov/exclusions/
Abuser Registry	Department of developmental disabilities’ online abuser registry that lists people cited for abuse, neglect, or misappropriation	its.prodapps.dodd.ohio.gov/ABR_Default.aspx
Sex-Offender Search	Ohio attorney general’s sex offender and child-victim offender database	www.icrimewatch.net/index.php?AgencyID=55149&disc=
Offender Search	The department of rehabilitation and correction’s database of inmates	https://appgateway.drc.ohio.gov/OffenderSearch
Nurse-Aide Registry	Department of Health’s state nurse aide registry. If applicant has not been resident of Ohio for 5 years, agency must conduct nurse-aid registry in state(s) in which applicant resided prior to Ohio	https://nurseaideregistry.odh.ohio.gov/Public/PublicNurseAideSearch

- a. For assistance in using the free databases, visit the rules page of the Ohio Department of Aging’s website, <https://codes.ohio.gov/ohio-administrative-code/rule-173-9-03>
2. Providers utilizing the Automated Registry Check System (ARCS) may use this system to conduct database checks. Results must be maintained in employee’s personnel record.

3. Provider agency may conditionally hire an applicant for up to 60-days while waiting for results of criminal records (BCII or FBI check) as long as the 6 database checks showed no disqualifying offenses as listed in the **SourcePoint** prohibited offenses document.
4. **SourcePoint** provider agencies shall maintain an applicant log separate from the personnel record which contains the following information:
 - a. Names of applicants
 - b. Date of Hire
 - c. The date the criminal records check was submitted
 - d. The types of criminal records checks requested (BCII, FBI or both)
 - e. Whether the results of the check revealed that the applicant committed a disqualifying offense(s); identify the offense(s) and the dates that they were committed.
 - f. Whether the applicant was conditionally hired, hired and/or terminated
5. A **SourcePoint** representative shall review these logs upon making the initial and annual site evaluations.
6. Provider agencies shall complete BCII checks every 5 years on direct service employee staff. A direct service position is defined as outlined in COP #4.2.2

OR

Providers enrolled in the Retained Applicant Fingerprint Database (Rap Back) service may use this service in place of completing BCII checks every 5 years.

7. Updated results of BCII checks or the Rap Back service must be maintained in the employee's personnel record. A **SourcePoint** representative may review this information upon making the initial and annual site evaluations, as outlined in COP #4.8
8. No staff member who is found to have committed any criminal act as outlined in the "Prohibited Offenses" form shall provide services to any **SourcePoint** client, unless:
 - a. **SourcePoint** has provided a written waiver to this requirement and the written waiver is maintained in the employee's personnel file

OR

- b. An Ohio Certificate of Qualification for Employment is received; proof of a copy being provided to SourcePoint is retained along with a copy of the certificate in the employee's personnel file.
 - i. More information about the Ohio Certification of Qualification for Employment can be found at the Ohio Department of Rehabilitation and Correction website, <https://drc.ohio.gov/cqe>