



## **Background Checks Guidance for Transitioning Home and Community Based Service (HCBS) Waiver Providers**

Providers of HCBS to children under age 21 will be required to receive Criminal History Record Checks (CHRC), Statewide Central Register (SCR) Checks, and Staff Exclusion List (SEL) checks. They will also be required to be Mandated Reporters.

**Please note that because these checks and their results are not transferable, all transitioning staff will require CHRC, SCR, and SEL, even if these checks were performed previously.**

Information on how to process these checks and comply with these requirements can be found at the following link:

[https://www.health.ny.gov/health\\_care/medicaid/program/medicaid\\_health\\_homes/docs/background\\_check\\_requirements.pdf](https://www.health.ny.gov/health_care/medicaid/program/medicaid_health_homes/docs/background_check_requirements.pdf)

The information below outlines the process to access the systems necessary to process these checks.

### **Criminal History Record Check (CHRC)**

The CHRC is submitted and processed using the CHRC application, which is housed within the Department of Health's Health Commerce System (HCS). There are three access scenarios for HCBS providers outlined below.

*#1 If a provider currently has access to HCS under type 0265 as a Health Home Care Management Agency (CMA)*

CHRC is currently in the process of providing CHRC access to all providers with this account type. Once this process is complete, each provider's Health Commerce System (HCS) Coordinator will receive an email from CHRC notifying them of their access and next steps. Once providers have access to the CHRC application, they will be able to process CHRC as outlined in the webinar. Providers should begin processing CHRC for all required employees as soon as they have access.

*#2 If a provider currently has access to HCS under a type other than 0265 as an HCBS provider*

These providers do not need to make any changes to their HCS account; however, the State will be reaching out to these providers' HCS coordinators to gather the information to provide them access to the CHRC application within HCS.

*#3 If a provider currently **does not** have access to HCS*

The State has identified HCBS providers that do not have HCS access and will be reaching out to those providers to facilitate access to the HCS in order to provide them access to the CHRC application. After they receive HCS access, the State will be reaching out to these providers' HCS coordinators to gather the information to provide them access to the CHRC application within HCS.

**All providers should process their CHRC for required employees as soon as they have access to ensure that the checks are processed before the supervision requirement grace period ends on 4/1/2019, after which employees whose CHRC is pending will require direct supervision by an employee whose check has been successfully completed in order to provide services. While providers are awaiting CHRC access, please note that new staff can be hired. At the time of hire, the employer should initiate any checks already available to their agency and notify the new employee of the checks that will be completed once the provider receives access to CHRC.**

#### Statewide Central Register (SCR) Database Check

Many HCBS providers already have access to SCR Database checks. Any provider who has this access can process SCRs, as required by the new statutory requirements, without making changes to their SCR account.

The State is in the process of identifying providers who do not have access to the SCR. The State will reach out to providers who did not have access to the SCR to gather the necessary information to receive their Resource Identification or RID number. Once the Office of Children and Family Services (OCFS) has granted the RID number, the provider will receive an email with the RID number, as well as an Online Clearance System Registration Packet, that must be submitted to OCFS for the creation of accounts for their Agency Liaisons. Once the liaisons receive their account information, agencies will be able to process their SCR Database Checks.

#### Staff Exclusion List (SEL) Checks

Many HCBS providers currently have access to SEL checks, and any provider who has this access can process SEL checks, as required by the new statutory requirements, without making changes to their account.

The Department of Health is in the process of identifying providers that may not have access to SEL checks and will be reaching out to gather the information required by the Justice Center to grant SEL access. Once an agency is granted access, they will receive an email notifying them of their access and next steps.

For more information regarding these requirements, please visit

[https://www.health.ny.gov/health\\_care/medicaid/program/medicaid\\_health\\_homes/docs/background\\_check\\_requirements.pdf](https://www.health.ny.gov/health_care/medicaid/program/medicaid_health_homes/docs/background_check_requirements.pdf).

Please submit any questions relating to background checks to [HHSC@health.ny.gov](mailto:HHSC@health.ny.gov).