



National Forum for Background Checks

Forum State Delegates Meeting

April 7, 2017

Agenda

- 14:30 - 14:40 Member Roll Call and Meeting Objectives
- 14:40 - 15:00
 - Potential Track at AHFSA Conference
 - Logistics/reimbursement
 - Thoughts on topics
 - Expression of interest
- 15:00 - 15:20 – Participants for Next Hot Topic – CJIS Audits
- 15:20 - 15:25 Progress /Next Steps on Initiatives
 - Library resources
 - Response kit
- 15:25 - 15:30
 - Emerging Critical Questions & Next Steps
 - Summary and Adjourn

Forum State Delegates Roster

- *****PLEASE SIGN IN WITH YOUR CALL-IN PARTICIPANT ID: #1_____ #:**
- Chair – James Joslin – OK
- State Delegates:
 - OR Jeff Akin
 - CT Matt Antonetti/Patricia Trella
 - AK Karen Benson
 - MI Steve Gobbo
 - FL Taylor Haddock
 - KS Steve Irwin
 - OH Jane Lengel
 - MO Melanie Madore
 - KY Jennifer Mayes
 - NM Gil Mendoza
 - NV Leticia Metherell
 - DE Tom Murray
 - DC Alem Grebrezghi
 - CA Paul DeHerrera/Madeleine Childs
 - WV Meghan Shears
 - GA David Ostrander

CMS

- Don Howard

Support

- Ernie Baumann
- Jessica Oi
- Nandita Ravishankar

Webinar Purpose and Desired Outcome

Purpose: Conduct hot topic session in CJIS audit experiences; determine interest and solicit topics for potential background check track at upcoming AHFSA Conference.

Outcome: All members will:

- Have information about the potential conference sessions, an opportunity to express interest, and an opportunity to suggest session topics;
- Have an opportunity to participate in the CJIS hot topic;
- Are aware of key items for next period.

Background Check Track at AHFSA Conference

- Questions on logistics?
- Interested and will try to attend? Issues in attending?
 - Round robin
- Topic Suggestions?
 - What could YOU present?
 - What would you like to hear about?
 - What would non-NBCP States want to hear about?

Hot Topic – CJIS Audit

- KY Presentation
- Round table discussion

NBCP
Kentucky 2016 FBI Audit



Pre-Audit

- ✓ Completion of Pre-Audit Questionnaire
 - Authority to process fingerprints
 - Access to CHRI and process for obtaining, viewing, and retaining CHRI

- ✓ Verification of applications for audit
 - A list of 28 applications were sent to the OIG
 - We verified each one was in the KARES system and what method was used to complete the background check
 - All were determined eligible
 - Only 3 of these applications actually had OIG staff interaction as the rest were “auto-determined” eligible

- ✓ Forwarded our required forms (per our regulation) to auditor

- ✓ Ensured our SOP binder was up to date



The Audit

- ✓ Overview of Pre-Audit Questionnaire & 28 cases
 - Verified the 28 applications were process under the correct ORI; were LTC applicants and had employment tracked by the system
- ✓ Verification of our authority to process fingerprints
 - Kentucky uses the federal authority given by the ACA and KARES regulation; no state statute mandating fingerprinting at this time
- ✓ Verified our process for obtaining, viewing, and retaining CHRI
 - Fully electronic process with no paper files kept
 - Overview of archive info – must be encrypted if stored outside the OIG
- ✓ Verified we have a defined process for appeals and dissemination to applicants
 - Appeals process defined by regulation
 - CHRI is given to an applicant only if they ask for it
- ✓ Verified which user types have access to CHRI
 - KARES system divides OIG users from Facility users so only OIG staff can access CHRI
 - OIG staff makes a fitness determination and only passes an eligible or not eligible notice to facility user
- ✓ Verification of who has access to KARES system backend and therefore access to CHRI data
 - OIG Determination Staff
 - OATS Systems Administration Staff
 - COT IT and Network Administration Staff



Findings for KY OIG

The OIG will receive a report from KSP regarding our specific findings. However, the FBI described our findings during the audit

- ✓ Kentucky Findings specific to the OIG
 - ✓ Outsourcing of Contract Employees who have access to CHRI
 - ✓ KSP does not currently recognize outsourcing
 - ✓ The Commonwealth of Kentucky outsources the majority of its technology staff
 - ✓ Anyone with access to the backend of the KARES system must be either a direct state employee or within an outsourcing agreement
 - ✓ Kentucky's IT networking also falls under the requirement for outsourcing according to the FBI – as contract staff has direct access to network and ports.



Kentucky End of Grant Future



End of Grant for Kentucky

Kentucky will be closing out our NBCP grant as of May 19, 2017.

Kentucky has been unsuccessful in passing legislation to make the NBCP mandatory and the voluntary program does not have enough volume to support the expense of the program.

Kentucky is seeking information to keep the program running until other state agencies can take advantage of the service.



Upcoming Opportunities for Kentucky

DCBS Childcare Facilities

Applicants in child caring facilities (daycare settings) require fingerprinting by Sept 2017.
New federal regulations requiring fingerprints. KY DCBS working to secure state legislation.

DCBS Foster and Adoption Programs

Currently required by law to undergo regular fingerprint background checks during adoption process and at renewal.

IRS 1075

New guidelines from the IRS requiring anyone with access to FTI data to undergo a fingerprint background check. Policies in place by September 2017.



Initiative Updates

- Forum Library Page
 - Meeting slides and summaries
 - State profiles – in process
 - Coordinating with States to verify information
- Advocacy and Communication
 - Incident response kit for non-NBCP States
 - Coordinating with States (combine with above)
 - Press Releases after Media Events – Examples that can be sanitized and shared?

Critical Questions & Next Steps

- Any critical questions emerge?
- Next steps/action items on initiatives
- Additional hot topic suggestions
- Adjourn until May 5, 2017

