

WELCOME

Welcome to the first edition of the National Background Check Program (NBCP) Quarterly Bulletin! This bulletin is designed to offer timely information about the NBCP to the States. In each edition, we will provide updates and important news from the Centers for Medicare and Medicaid Services (CMS), highlight the notable accomplishments of NBCP States, provide program updates, present promising practices, and more.

Why start a bulletin? The NBCP has just entered its sixth year. As the program continues to expand and mature, we want to keep you informed of relevant information and important announcements in a concise way that is convenient for you.

Interested in specific topics of interest? Have ideas for other features or types of content? We want to hear from you for our next edition. Simply contact your State Liaison directly or email stateliasion@cna.org.

MESSAGE FROM CMS

A lot has happened during the past year and I am pleased to report that we have continued to make progress on the National Background Check Program. One of the major changes is that I took leadership of this program last summer. We have a great team that has kept this program moving forward. I look forward to meeting you at the training in May. In the meantime, I hope you find the bulletin to be a helpful tool as you implement your criminal background check program.

-Jan Tarantino, CMS Lead for the NBCP and Deputy Director of the Survey and Certification Group in the Center for Clinical Standards and Quality at CMS.



GRANTEE STATE HIGHLIGHTS

CONNECTICUT — The State of Connecticut launched its new web-based background check program for long term care facilities and providers in October 2015. The Department of Public Health (DPH) established the Applicant Background Check Management System (ABCMS) that supports fingerprint-based background checks, as well as checks of several relevant registries, for newly hired direct care employees of long term care facilities prior to employment.

MICHIGAN — The State of Michigan completed the automation of the electronic delivery of criminal history records from the State Police to its Workforce Background Check System. Criminal history rap sheets now are delivered through an automated, encrypted, and secure interface.

PUERTO RICO — On December 17, 2015, Gov. Alejandro García Padilla signed into law the "Criminal Record Verification Act of Care Service Providers for the Children and the Elderly in Puerto Rico." The State plans to go live with Phase 1 of its background check program by March 17, 2016.

RHODE ISLAND — The State of Rhode Island successfully tested the electronic fingerprinting and return of criminal history rap sheets to its new background check system. The State prepares for full production rollout in February 2016 for selected provider categories.



TRIBUTE TO
MARTIN KENNEDY

Martin ("Marty") Kennedy passed away Sunday, July 12, 2015. He had served as the Director for CMS' Division of Continuing Care Providers and was the CMS Lead for the NBCP.

Prior to his Federal career, Marty was Secretary of the Kansas Department on Aging, which gave him a unique understanding of the people NBCP served and the challenges facing many States.

To the NBCP, Marty brought an unwavering passion to protecting and supporting those in long term care. Today's NBCP is a reflection of Marty's vision and leadership.

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HOT TOPICS:

Work Group Begins Planning for Post-Grant Period

On October 19, 2015, a Work Group of seven State volunteer members and one CMS representative was convened.

The mission of the Work Group is to establish the framework for an organization of States (a *collaborative forum*) that can facilitate collaboration and communication about background check issues, even after NBCP grants and technical assistance end.

The collaborative forum Work Group (CFWG) met via webinar on November 6, 2015. At this meeting they selected a chairperson and approved a charter for the work group.

They also identified the most critical tasks to begin defining the framework for the collaborative forum, including:

- Conducting interviews with leaders of existing associations
- Documenting potential issues and topics for the NBCP collaborative forum to address
- Developing financial options for various levels of membership and activity
- Drafting organizational documents such as a charter and strategic plan.

Members of the CFWG are: James Joslin, OK (chair); Jane Urbanovsky, AK; Matthew Antonetti, CT; Taylor Haddock, FL; Steve Gobbo, MI; Gil Mendoza, NM; Leticia Metherell, NV; and Don Howard, CMS.

The Work Group will attend an in-person meeting at CNA on February 1-2, 2016. Recommendations for the collaborative forum will be presented during the NBCP Annual Training Meeting in May.

STATES IN THE NEWS

On October 04, 2015, [McKnight's Long Term Care News](#) published a story about the success of the West Virginia NBCP program in its first month of operation. The story focused on the West Virginia Department of Health and Human Resources program - WV Clearance for Access: Registry & Employment Screening (WV CARES). The program launched in August 2015 and as of the October publication date, nine applicants had been flagged as ineligible for employment in long term care facilities.

Three of those deemed ineligible had criminal history hits from other States. The story noted that "WV CARES screening requirements include fingerprint-based state and national criminal history checks for applicants of jobs that have direct access to residents." McKnight's also reported that beginning in 2015, all long term care providers in West Virginia will be required to participate in the program.

LATEST NEWS

DEPARTMENT OF VETERAN AFFAIRS (VA)

The VA is proposing to prohibit community residential care facilities (CRCs) — *medical foster homes, assisted living homes, group living homes, family care homes, psychiatric CRCs homes* — from "employing an individual who have been convicted in a court of law of certain listed crimes against a person or property, or has had a finding entered into an applicable State registry or with the applicable licensing authority concerning abuse, neglect, mistreatment or individuals or misappropriation of property." The VA believes that 75 percent of CRCs could obtain background checks from existing federal or State programs such as the NBCP.

DEPARTMENT OF HEALTH & HUMAN SERVICES (HHS), ADMINISTRATION FOR CHILDREN & FAMILIES (ACF)

An ACF proposed rule makes changes to the Child Care and Development Fund regulations in order to protect the health and safety of children in child care, which includes provisions for background checks; help parents make informed consumer choices and access information to support child development; provide equal access to stable, high quality child care for low-income children; and enhance the overall quality of child care and the early childhood workforce.

For more information on these proposed rules, see the [BGCheckInfo](#) website.

QUARTERLY REPORTS DUE JANUARY 31, 2016

Reports for the quarter ending that ended December 31, 2015, are due by close of business on January 31, 2016. Please be sure to use the new Cost Report that includes your State's name. Report templates are available on the NBCP [BGCheckInfo](#) website.

Did you know?

Only one NBCP State has a perfect record of on-time submissions:

Connecticut!

NBCP RESOURCES

The [BGCheckInfo](#) website provides access to a comprehensive collection of original resource documents written specifically for existing and anticipated NBCP States. These documents provide detailed information on a number of background check issues, including information on current standards of practice in the field of background checks. Several new resource documents are expected in early 2016 and will be announced in the NBCP Quarterly Bulletin as they are added to the website.

UPCOMING MEETINGS:

- **NBCP Annual Training Meeting**, May 2-4, 2016, Annapolis, MD
Look for an invitation soon!

