

**Date:** Thursday, May 25, 2017; 3:00 p.m. to 4:00 p.m. (ET)

**Attendees<sup>1</sup>:**

*NBCP Grantee States*

- Alaska: None.
- California: Paul DeHerrera
- Connecticut: Matthew Antonetti, Patricia Trella
- Delaware: Tom Murray
- District of Columbia: None
- Florida: None
- Georgia: David Ostrander, Denise Matthews
- Hawaii: Priscilla Thode
- Illinois: None.
- Kansas: None.
- Kentucky: David McMahan
- Maine: Alex Netten
- Maryland: None.
- Michigan: Fuad Abujarad, Katie Bower, Teri Dyke, Sarah Swierenga
- Minnesota: Kristen Johnson, Michelle Long
- Missouri: Melanie Madore
- Nevada: Leticia Metherell
- New Mexico: None.
- North Carolina: None.
- Ohio: Jane Lengel
- Oklahoma: James Joslin, Scott Chisholm
- Oregon: Jeff Akin, Sudha Landman
- Puerto Rico: Lourdes Borres
- Rhode Island: None.
- Utah: Carmen Richins
- West Virginia: Meghan Shears

*Centers for Medicare & Medicaid Services  
(CMS) NBCP*

- Jan Tarantino, NBCP Lead
- Rebecca Ward, NBCP Core Team
- Don Howard, NBCP Core Team
- Je’annine O’Malley, NBCP Core Team
- Melissa Rice, NBCP Core Team
- Scott Manley, NBCP Core Team
- Sarah Fahrendorf, NBCP Core Team
- Francis Adanuty
- David Lum

*CNA Technical Assistance Team*

- Delilah Barton
- Ernie Baumann
- Ann Casey
- Mary Gabay
- Joyce McMahan
- Jessica Oi
- Liz Raistrick
- CaraLee Starnes
- Nandita Ravishankar
- Allison Dudziak, IA
- Beth Myers, IA

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<sup>1</sup> The Attendee List may not be complete because some participants did not log into the Webinar as directed. CNA was unable to capture those participants who only called in.

## **1. Welcome to the States**

Delilah Barton with the CNA Technical Assistance (TA) Team welcomed participants to the State TA Quarterly Webinar and reviewed the agenda.

## **2. CMS News and Announcements**

Don Howard and Scott Manley with the CMS Survey and Certification Group presented CMS News and Announcements.

### **2.1. OIG Review**

Don said the Office of the Inspector General has been tasked with evaluating the NBCP; Don had communication with OIG and was informed that they will be conducting an interim evaluation of the NBCP States that graduated from 2013 - 2016. These States are: Alaska, Connecticut, Delaware, District of Columbia, Florida, Illinois, Maryland, Missouri, and Rhode Island. OIG provided an outline of the evaluation and CMS provided feedback; they will be conducting the evaluation throughout 2017 and will provide results in 2018. OIG will be examining the results of additional States' programs in a series of reports; these States will be evaluated in groups based on the year they graduated. The evaluations will continue until the remaining States graduate.

Don reminded States that CMS and CNA would like to continue to receive voluntary data reports from the graduated States. Many States already voluntarily provide data and OIG continues to express interest in having access to that data.

### **2.2. State Participation Status**

Don provided the following State participation update: 13 States are graduated as of May 25, 2017. Kentucky, Michigan, and Oklahoma graduated since the last webinar. 13 States are still active.

Don reminded the webinar participants that the grant solicitation is still open. He reminded States that if they wish to extend, they must submit paperwork no less than 60 days prior to the end date of their grant; the forms for the extension are on the BGCheckInfo website. He also reminded participants that graduating States must submit their grant closeout paper work no later than 90 days after the last day of their grant; States should be in communication with their CMS Project Officers and receive information from them; this is in addition to their last submission of the Quarterly Reports. Don announced that Maine is now an active name-based rap back State; the State participation map will be updated to reflect this for the next webinar.

### **2.3. Compact Council**

Scott said that he and Ernie Baumann traveled to Pennsylvania and gave a presentation to Council members at the FBI CJIS Compact Council Meeting on May 11, 2017. They provided an update on State participation, statistics for 2016, the BGCheckInfo website and how both current and graduated NBCP States have access to the website, and an update on

the NBCP Nurse Aide Registry (NNAR). In addition to that information, Scott and Ernie outlined current, graduated, and anticipated NBCP States. Ernie provided a State highlight on West Virginia and emphasized that the grant solicitation is still open; he provided website and contact information for States that are interested in participating. Scott said that he and Ernie received a few questions from biometric companies that were interested in the fingerprinting aspect of the process.

Scott said the FBI focus of the meeting was on federal rap back.

### **3. NBCP TA Announcements**

#### **3.1. NBCP Nurse Aide Registry (NNAR) Status**

Allison Dudziak with Innovative Architects (IA) provided an update on the NBCP Nurse Aide Registry. She noted that the NNAR has been in development since the spring of 2015. She reviewed the NNAR Impact table; those that have been classified as “No Match” have not been found on any other nurse aide registry that has been incorporated into the NNAR. Some of the “Matches” are false matches; they may have matched on last name and date of birth, but have a different social security number or those applications may have been found on the State registry itself.

NNAR registry recheck involves automatic checking of each person with an active employment record or application through each of the registries that are automatched against. Allison said that when the NNAR was started, there was no intention of using the registry recheck process as it is very resource intensive to do so. For instance, when the registry recheck process was run in Ohio, it took nearly a full day with almost 20,000 applicants checked. This process would cause a large uptick in the number of help desk calls and cause an information overload for the providers. When Allison was gathering information for this presentation, she realized she did not have much data on OH as the State is relatively new to the NNAR. As a result, she contacted Jane Lengel, the project manager of the OH Automated Registry Check System (ARCS), and was granted to permission to test the NNAR registry recheck in their system. After the process was run, there were 15 matches; some were false, some were from the OH State nurse aide registry, but two were legitimate matches against out of State nurse aide registries.

The first match Allison found was against the California nurse aide registry; the person was entered in ARCS in 2017 with no aliases and no prior addresses. The person was marked cleared for all required national and State registries. When the registry recheck was run at the beginning of May 2017, it provided an alert that this person was found in the CA nurse aide registry. When Allison went to the CA nurse aide registry website, she entered the name, but did not receive a result. The match result in ARCS included a license number; when she searched the CA nurse aide registry with that criterion, she received a result, but the first name was different. However, since the OH nurse aide registry matches to the CA nurse aide registry based on social security number, Allison was confident that the person she found when she searched on the CA nurse aide registry was the same person found when running the registry recheck. Allison then searched online for the applicant; she found that the applicant was entered in ARCS with their middle name as their first name, and the CA nurse

aide registry results were listed under her legal first name. Allison's Google search also showed previous addresses that the applicant had not previously disclosed. Allison noted that she would not have found out that the applicant was also on the CA nurse aide registry without the NNAR.

The second match found was against the West Virginia nurse aide registry. This applicant's record in ARCS lists the applicant living in Belmont, WV; Belmont is on the border between WV and OH. In February 2016, this applicant applied for a nurse aide position at an OH facility and was entered into ARCS. The system automatically added a line to the registry research page on the new applicant workflow, that required a result of cleared/not cleared for the WV nurse aid registry itself due to the applicant's listed address. The provider during the time of the application manually marked the applicant cleared against the WV nurse aide registry. When the NNAR registry recheck was run in May 2017, the applicant was found on the WV nurse aide registry and the record showed that the applicant had their license revoked. The match type showed that ARCS had based the match on social security number and last name; to ensure that Allison was interpreting the data correctly, she followed up with Meghan Shears in WV to help her confirm some information she found on the WV nurse aide registry. The registry recheck results page showed that the applicant was "placed for abuse on December 12, 2016." Allison noted that these results emphasize the importance of the NNAR.

#### **4. Forum Announcements**

James Joslin, Chairman of the National Forum for Background Check Programs (the Forum) provided an update on the Forum. The Forum now has 17 members and discussed having a dedicated background checks track at the Association of Health Facility Survey Agencies (AHFSA) conference. James confirmed that AHFSA will provide the Forum with a room at the conference that will take place from August 21 – 23, 2017, in Orlando, FL. The Forum is working to develop its program for the conference and has identified 16 States that are interested in attending. 20 – 25 States will most likely attend; however, many States indicated that they could not attend due to budgetary constraints. When inquiring about interest in attending, many States informed the Forum that they must include travel and allocate funding in advance in order to attend. As a result, James encouraged States to account for funding to attend in the future. Delilah noted that the NBCP TA team will also be attending the AHFSA conference and will be available to answer any questions attending States have.

James said that the track will take place half of the day on Monday, August 21, 2017, a full day on Tuesday, August 22, 2017, and possibly a short session separate from the plenary session on Wednesday, August 23, 2017.

The Forum is still finalizing the track topics; however, members identified the NNAR, working on clearinghouses in State and aligning with child care to leverage developments with other programs, sustainability, state of the NBCP, and the various initiatives of the Forum as topics of importance. James thanked the members for their participation in the monthly Forum meetings.

James also thanked Brenda Dreher in Kansas for reaching out to the Forum with a question and asking for feedback. By contacting the Forum, Brenda was able to receive feedback from multiple States and learn of their experiences; this is the purpose of the Forum. James requests that if possible, those that reach out and receive feedback “reply all,” as the Forum is then able to gather more information to assist in the future.

## **5. Handling Negative Media Reports**

CaraLee Starnes, NBCP State Liaison, along with the assistance of California, Minnesota, and West Virginia gave a presentation on how States can handle negative media reports. The presentation is available on the BGCheckInfo website.

### **5.1. Questions and Answers**

Delilah thanked CaraLee, California, Minnesota, and West Virginia for the presentation and noted that it was very interesting. Becky was especially interested in the real-life case studies and emphasized the importance of the NBCP in preventing “bad actors” from working at long-term care facilities. Becky also thanked the CNA team and noted that the webinar was run smoothly.