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Background Checks

**What to Expect from
January 2019 Updates**

Overview



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Today, we'll talk about the following:

- Why are there changes?
- Types of checks
- Timeframes for checks
- Communication with subject of the check
- Person lists for each operation
- Child Care Licensing Account changes

Why Are There Changes?



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- Federal requirements (CCDBG)
- Subscribing to FBI Rap Back
- State statute and rules
- Increase automation and efficiencies
- Mirror most processes for DC and RC where possible

Types of Checks Required



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Sources of checks fall into one of three categories:

- Texas
- National
- Other states

Types of Checks Required - Texas



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Texas checks include:

- Texas fingerprint-based criminal history for most
- Sex Offender Registry
- Central Registry

Types of Checks Required - National



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National checks include:

- FBI fingerprint-based criminal history
- NCIC National Sex Offender Registry (On Hold)*

* Denotes new requirements

Types of Checks Required

– Other States



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If the person has resided in another state in past 5 years, background check requirements from each of those states include:

- Name-based or fingerprint-based criminal history (except RC ops)*
- Child abuse/neglect registry*
- Sex Offender Registry*

* Denotes new requirements

Types of Checks Required – Volunteers or Visitors



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Volunteers and frequent visitors only require name-based checks (Texas DPS and Central Registry) as long as...

- Always supervised by a qualified staff member or foster/adoptive parent and
- Have not lived outside of Texas in the past 5 years

New Timeframes for Checks



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- Checks remain valid for 5 years if fingerprinted and eligible for National Rap Back (anyone successfully printed on or after 6/1/15)
- National Rap Back implementation will ensure live nationwide criminal history results
- CBCU has 45 days from date of request to issue a decision on eligibility to be present at the operation

Communication Primarily with Subject of the Check



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- Operations will **only** receive notification of eligibility status for their employees:
 - **Eligible**: person is approved to have direct access to the operation or children in care without conditions
 - **Ineligible**: subject of the background check may not have any access to the operation or children in care
 - **Eligible with Conditions**: subject of the background check is approved to have access to the operation or children in care as long as specific conditions are followed
 - **Provisional**: subject of the background check may have limited access to the operation or children in care according to specific conditions while actions relating to the background check are incomplete (temporary determination)

Primarily with Subject of the Check (continued)



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- Subject will receive notice regarding how to complete fingerprinting and any out-of-state checks
- CCL staff will not be able to discuss or release any details of employee background check results with operations
- Risk evaluation process will be between CBCU and subject

Communication Primarily with Subject of the Check (continued)



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Since we are communicating directly with the subject of the check:

- Valid email address for that person greatly speeds up the process
- If no email address, ensure you have a current/valid mailing address entered
- Email address entered cannot be one belonging to the operation

Person Lists



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- Person lists show employment/association status for an individual at an operation: Active, Inactive, or Pending
- Operations are required to validate list every 90 days

Updates to Child Care Licensing Account: General Functionality



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- Operations can see entire Person List and details for each person
 - Eligibility status
 - Conditions
 - Role
- Required to validate Person List or inactivate persons through Child Care Licensing Account
- Updates to Person List are pulled over into CCL's database
- List can be sorted and filtered
- Additional Message Board functions to prompt user to take actions on background checks

Licensing Account: General Functionality (continued)



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Online Background Check History

Last Validation: 5/24/2017

Validate Employee List

Print List

Filter

Filter By: ☐ Name ☐ Employee Status ☐ Date Last Submitted

From Date: / / To Date: / / Starts With:

Name	DOB	Employment Status	Employment Status	Date Last Submitted	Conditions?	Ineligible?																												
➤ Aguirre, Juana	02/3/1976	Pending	Inactivate	05/23/2017	05/23/2017																													
<table> <tr> <th>Date Submitted</th><th>Role</th><th>Eligibility</th><th>Eligibility Start Date</th><th>Eligibility End Date</th><th colspan="2">Conditions</th></tr> <tr> <td>10/13/2016</td><td>Director</td><td>Pending</td><td></td><td>Inactivate Role</td><td colspan="2"></td></tr> <tr> <td>10/13/2015</td><td>Director</td><td>Eligible</td><td>11/13/2015</td><td>10/13/2016</td><td colspan="2"></td></tr> <tr> <td>10/13/2014</td><td>Director</td><td>Eligible</td><td>11/13/2014</td><td>10/13/2015</td><td colspan="2"></td></tr> </table>							Date Submitted	Role	Eligibility	Eligibility Start Date	Eligibility End Date	Conditions		10/13/2016	Director	Pending		Inactivate Role			10/13/2015	Director	Eligible	11/13/2015	10/13/2016			10/13/2014	Director	Eligible	11/13/2014	10/13/2015		
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10/13/2014	Director	Eligible	11/13/2014	10/13/2015																														
➤ Alexander, Brandy	01/09/1976	Pending	Inactivate	05/23/2017	05/23/2017																													
➤ Beddo, Kaylee	10/13/1942	Pending	Inactivate	05/23/2017	05/23/2017																													
➤ Campell, Kristen	06/23/1956	Active	Inactivate	05/23/2017	05/23/2017	No																												
➤ Chambers, Amanda	02/28/1960	Active	Inactivate	05/23/2017	05/23/2017	No																												
➤ Davis, Mae	08/19/1970	Inactive		05/23/2017	05/23/2017	Yes																												
➤ Hampton, Travan	05/4/1945	Inactive		05/23/2017	05/23/2017	Yes																												

Message Board

Due Date	Message
2/24/2017	Renew Background Check for Andrew Evans
3/2/2017	Renew Background Check for Daisy Fuentes
3/5/2017	Validate Employee List
5/12/2017	Confirm Employment Ineligibility Notification for Arthor Mix, 3/4/1998
5/25/2017	Confirm Employment Ineligibility Notification for Andrew S. Strong, 12/2/1967

Updates to Child Care Licensing Account: Background Check Requests



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- Alternate ID options for persons with no SSN
- Collecting info on states of residency in past 5 years
- Quick notification of errors (SSN or alternate ID/gender/DOB don't match)
- Validate DOB – no future dates and no requests for persons under 13 years and 9 months
- System automatically determines background check types required based on answers to questions
- Role options specific to operation type

Resource Materials for Providers



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- January 2019 Updates to Background Checks:
<https://hhs.texas.gov/doing-business-hhs/provider-portals/protective-services-providers/child-care-licensing/child-care-licensing-background-checks/background-check-faqs/updates-child-care-licensing-background-checks>
- Tutorial videos for new functions of online account: <https://hhs.texas.gov/doing-business-hhs/provider-portals/protective-services-providers/child-care-licensing/child-care-licensing-account-registration-login>

Resource Materials for Providers (continued)



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- Child Care Licensing Account manual:
https://www.dfps.state.tx.us/Child_Care/documents/Public_and_Provider_Website_Manual.pdf
- Background check FAQs:
<https://hhs.texas.gov/doing-business-hhs/provider-portals/protective-services-providers/child-care-licensing/child-care-licensing-background-checks/background-check-faqs>



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Questions?

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