

Criminal Background Check (CBC) Update

December 2015

CBC Update

This update will provide information on important changes to:

➤ CBC Fingerprint Registration

See slides 4-14

➤ CBC Determination emails

See slides 15-25

CBC Update

This update will also provide guidance on:

- SEL checks for OPWDD providers that also operate programs licensed by other State Oversight Agencies

See slides 26-28

CBC Update

- Job Duties Description Requirements

See slides 29-31

- Fair Chance Act/Ban the Box

See slides 32-34

CBC Update

- And finally, some reminders from the last CBC Update

See slides 35-41



Fingerprint Registration Change

- All OMH, OPWDD and OCFS Providers covered by the Justice Center CBC must register Applicants for fingerprinting with MorphoTrust, either online at www.identogo.com or by calling (877) 472-6915.

Fingerprint Registration Change

- There will be a change to the CBC Fingerprint Registration process starting on December 18, 2015.

Application Details



Please provide answers to the following questions.

Have you completed the Staff Exclusion List check? *	<input type="radio"/> Yes, I certify that the Staff Exclusion List has been completed.
	<input type="radio"/> No, please complete the Staff Exclusion List check first.
Applicant Type *	<input type="text"/>
Hiring Category *	<input type="text"/>
Position Category *	<input type="text"/>
Job Duties *	<input type="text"/>



Fingerprint Registration Change

Online Registration

Applicant Detail screen will ask:

Online Registration

Have you completed the Staff Exclusion List (SEL) check?

Online Registration

If SEL not completed, you will not be able to register Applicant.



Fingerprint Registration Change

Phone Registration

Authorized Person (AP) will be asked:

Phone Registration

Have you completed the Staff Exclusion List (SEL) check?

Phone Registration

If SEL not completed, you will not be able to register Applicant.



Fingerprint Registration Change

Application Details

Please provide answers to the following questions.

Have you completed the Staff Exclusion List check? *

Yes, I certify that the Staff Exclusion List has been completed.

No, please complete the Staff Exclusion List check first.

Applicant Type *

Hiring Category *

Position Category *

Job Duties *

Fingerprint Registration

Some Providers have Applicants register themselves for fingerprinting.

This practice should be discontinued!



Fingerprint Applicant Info Sheet

Fingerprint Applicant Info Sheet

- The CBC Unit has created an Info Sheet to assist APs in registering Applicants.

Fingerprint Applicant Info Sheet

- The Info Sheet is posted on the Forms tab of the Justice Center website.



Fingerprint Applicant Info Sheet

Fingerprint Applicant Info Sheet

- It contains the required data fields that must be included as part of the fingerprint registration process.

Fingerprint Applicant Info Sheet

- It is not required to be maintained by the Provider or sent to the Justice Center.



Fingerprint Applicant Info Sheet

Fingerprint Applicant Info Sheet

Applicant Name First Name _____ Last Name _____

Applicant Home Address Number _____ Street Name _____

Unit Designator (Apt # **required** if applicable) _____

Country _____ City _____ State _____ Zip Code _____

Methods of Contact (If there is a problem with the prints, MorphoTrust requires a way to reach out to the Applicant to advise that they need to be re-printed.)

Preferred Contact Method (check one): Phone _____ Email _____

Daytime Phone Number _____

Daytime Phone Type (Cell, Home, Work) _____

*Email _____

**Email address is not required unless it is the preferred method of contact.
Phone number and type is required, even if it is not the preferred contact method.*

Applicant Demographic Data

Date of Birth (MM/DD/YYYY) ___/___/___ Age _____ Gender _____

Weight _____ Height ___ Feet ___ Inches

Place of Birth _____ Citizen Country _____

Ethnicity: Hispanic ___ Non-Hispanic ___ Unknown ___

SSN** ___ - ___ - ___

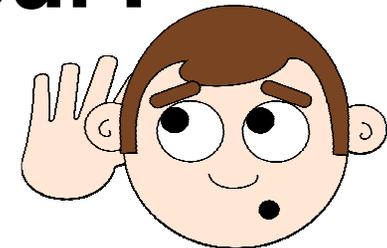
*** Social Security Number is not required for registration through MorphoTrust; however, it is needed to process the fingerprint submission in the event an applicant's fingerprints are rejected by the FBI.*

Race: American Indian	Eye Color: Black	Hair Color: Bald
Asian	Blue	Black
Black	Brown	Blond
White	Gray	Brown
Other	Green	Gray
Unknown	Hazel	Red
	Maroon	Sandy
	Pink	White



Change to CBC Determination emails

- Certain emails generated from the CBC system to Authorized Persons (AP) will be changing.
- **When will this change occur?**
 - **January 5, 2016**



Change to CBC Determination emails

- **What emails will be changed?**

- 1) Emails sent on Applicants with no criminal history:***

A background check processed by the New York State Justice Center for the Protection of People with Special Needs for the applicant indicated below has been returned with no criminal history.

Doe, Jane (Applicant #2105xxxxxx-1)

Change to CBC Determination emails

- **What emails will be changed?**

2) Emails sent on Applicants with a criminal history:

A background check processed by the New York State Justice Center for the Protection of People with Special Needs for the applicant indicated below has been returned with a criminal history.

Doe, Jane (Applicant #2105xxxxxx-1)

Please refer to attached document for further instruction.

Change to CBC Determination emails

- **What emails will be changed?**

3) Emails sent on Applicants with information requiring attention:

A background check processed by the New York State Justice Center for the Protection of People with Special Needs for the applicant indicated below has been returned with information requiring attention.

Doe, Jane (Applicant #2105xxxxxx-1)

Please refer to attached document for further instruction.

Change to CBC Determination emails



- **What changes will be occurring?**
 - These three email types will no longer be sent encrypted.
 - The email types will no longer include attachments.

Change to CBC Determination emails

- **The three email types will be changed so all will have the following language:**

The result of the background check processed by the New York State Justice Center for the Protection of People with Special Needs for the applicant below is available for your review in the Justice Center Criminal Background Check system.

Please log in to the system and update the applicant's employment status within 14 days of making a decision.

DOE, Jane (Applicant # 2015xxxxxx-1)

Change to CBC Determination emails

- **Will the other emails sent by the CBC system be changing?**
 - No, emails indicating that an application is in the process of being reviewed and emails containing an arrest notification will remain the same.

Change to CBC Determination emails

The good news is you don't have to wait to receive an email or be able to open an email; you can always look in the CBC system for determinations.

- *How?*

See below.



How to Find CBC Determinations

- When logging on to the CBC system, APs generally will see results in the AP Notices

User or Applicant No.	AP Name	Applicant Last Name	Applicant First Name	Date Sent	Notice
<u>201306412</u> <u>2-1</u>		John	Doe		Not denied, criminal history, letter attached.

How to Find CBC Determinations

- If the AP clicks on the Applicant No. hyperlink, and then clicks on Update Applicant button, and then scrolls down, the AP will see:

Action	Document Type
View	 DETERMINATION LETTER.pdf

To see letter, click on View.

How to Find CBC Determinations

- APs can also search for results on the Applicant tab in the CBC system:

Criminal Background Check
Applicant Search

Applicant | FP Locations | Administration | Reports | Help | Log off

Applicant Search Search Mode

View/Update Applicant Record
View/Update Employment Status
Blank Applicant Forms ▶
Blank Applicant Forms (OASAS Providers) ▶

Enter the applicant's name, number, or social security number. Only alphanumeric characters are allowed.
Note: This Search will return only applicant records entered by your agency.

Name (Last, First, Middle)

CBC Applicant Number

SSN

Justice Center Category 2 Checks for OPWDD Providers

- For Providers licensed by OPWDD and another State Oversight Agency:

When requesting a Staff Exclusion List check for an Applicant who will, or may be, working with service recipients in the OPWDD program...

...the AP must select the OPWDD Provider so that a check of the final substantiated category two findings will be conducted during the SEL check.

See
below:



Justice Center Category 2 Checks for OPWDD Providers

Below is a screen shot from the SEL check for a Provider with multiple programs. For an Applicant who will be working, or has the potential to be working, with service recipients in the OPWDD program, the AP should select the Provider that has OPWDD listed as the State Oversight Agency.

Justice Center Category 2 Checks for OPWDD Providers

Select the Appropriate Provider Below:

ABBOTT HOUSE	
Provider Name: ABBOTT HOUSE Provider Category: Corporation State Oversight Agency: OPWDD	Provider Street Address: 100 NORTH BROADWAY Provider Street Address 2: Provider City: IRVINGTON Provider State: NY Provider Zip Code: 10533 Provider Phone Number: (914) 591-7300
I would like to submit an SEL Inquiry on behalf of this Provider: <input type="button" value="Select Provider"/>	

Abbott House	
Provider Name: Abbott House Provider Category: Agency State Oversight Agency: OCFS	Provider Street Address: 100 N BROADWAY Provider Street Address 2: Provider City: IRVINGTON Provider State: NY Provider Zip Code: 10533-1254 Provider Phone Number: (914) 591-7300
I would like to submit an SEL Inquiry on behalf of this Provider: <input type="button" value="Select Provider"/>	



Job Duties Description

- Only Applicants that a Provider has determined will have ***regular and substantial unsupervised or unrestricted contact*** with Service Recipients should be sent for a fingerprint-based CBC with the Justice Center.

Job Duties Description

- When registering an Applicant, the AP **must** enter a description of the job duties.

Application Details

Please provide answers to the following questions.

Applicant Type *	<input type="text"/>
Hiring Category *	<input type="text"/>
Position Category *	<input type="text"/>
Job Duties *	<input type="text"/>

*Please enter detailed information about the job duties that indicate **how** the applicant will have direct and substantial unsupervised contact with persons receiving services/care and to what degree.*



Job Duties Description

- This job duties description must indicate **how** the Applicant will have regular and substantial unsupervised or unrestricted contact with the Service Recipient.

Fair Chance Act/Ban the Box

- Laws prohibiting an employer from asking an Applicant about his or her criminal record until after offering a job do not apply to criminal background checks conducted by the Justice Center.

Fair Chance Act/Ban the Box

- Applicants for OMH, OPWDD and covered OCFS programs are still required to complete and sign the Applicant Consent Form for Fingerprinting, including answering question #7, as they have done in the past.

Fair Chance Act/Ban the Box

7. I certify to the best of my knowledge that I: (check as appropriate)

have been convicted of a crime in New York State or any other jurisdiction.

have pending arrest charges.

If checked, provide details:

Attach additional details if necessary.



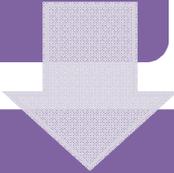
Reminders from last CBC Update...

- Using the right ORI...
- Updating Employment Status in the CBC...

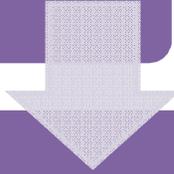


Fingerprint Submissions

For OMH Providers the ORI is: NY922160Z



For OPWDD Providers the ORI is: NY922170Z



For OCFS Providers the ORI is: NY922286Z



Fingerprint Submission



Updating Employment Status in CBC

- Guidance on how to update an Employment Status is available in the CBC System on the Help tab.

Criminal Background Check
Applicant Search

Applicant FP Locations Administration Reports **Help** Log off

Applicant Search Search Mode: Basic Search

Enter the applicant's name, number, or social security number. Searches on just the first part of a name are allowed.
Note: This Search will return only applicant records entered by your agency.

Name (Last, First, Middle)

CBC Applicant Number

NEW YORK STATE OF OPPORTUNITY | Justice Center for the Protection of People with Special Needs

Help menu items:
 Frequently Asked Questions
 User Manual
 Secure Email Tips
 Frequently Asked Questions (OASAS Providers)
 User Manual (OASAS Providers)
How to Update the Employment Status
 How to Register an OPWDD Applicant
 How to Register an OMH Applicant

Updating Employment Status in the CBC

- Providers must comply with the regulatory requirement to update employment status within 14 days of the date that the Provider makes a decision on employment status.

For example, if the Justice Center clears the Applicant for the Providers consideration for employment on December 15, 2015...

Updating Employment Status in the CBC

- *And the Provider decides to hire the Applicant on December 15, 2015, the Provider has until December 29, 2015 to update the employment status in the CBC system.*



Updating Employment Status in the CBC

Failure to update the CBC system when a subject individual is hired, or is no longer a subject individual, or if the application is withdrawn, will result in the Provider being out of compliance with regulatory requirements.



Thank you!

Please direct any questions to the
Justice Center CBC Unit:

Email address:

cbc@justicecenter.ny.gov

Phone:

518.549.0361