

## **Psychiatric Residential Treatment Facility (PRTF) Instructions for Completing the KDADS Criminal History Security Clearance Background Check**

KDADS Policy (policy number pending) requires every initial (new) applicant or renewal (current) applicant, including volunteers, or contract staff, pass a KDADS KBI Criminal History Background Check to obtain security clearance. KDADS will perform a comprehensive background check of state and or federal records on all initial applicants prior to employment and renewal applicants at the time of the annual facility license renewal.

A background check may include a criminal records check requiring fingerprints as well as checks on the validity of the individual's driver's license. The background check will include a check of the child abuse and neglect central registry, adult abuse neglect and exploitation central registry and the Kansas automated eligibility and child support (Welfare Fraud) enforcement system maintained by the Kansas Department for Children and Families (DCF). Results of the inquiries will be considered by KDADS Legal Division in determining whether to grant security clearance.

For the sake of this training every reference to PRTF is assumed to be the PRTF HR designee. Every reference to KDADS is assumed to be the KDADS HR/Legal Division designee.

### **Initial Applicant:**

Manual checks: (Searches the Kansas Central Repository)

Each initial, volunteer or contract applicant is required to complete a self-report form and sign a consent form.

The PRTF will enter the data from the self report form to the submission form (excel spreadsheet). The completed spreadsheet is **emailed** to KDADS along with a scanned copy of each applicant's consent form and self report. Due to the amount of personal information contained within each spreadsheet and on related forms and in order to comply with HIPAA regulations every email containing personal information **MUST** be encrypted. Directions on encryption are covered later in the training. Please title and date each spread sheet before emailing. ex. St. Francis, 7.25.15. The PRTF may retain the original forms as determined by their internal office process.

Upon receipt of the spreadsheet, KDADS enters the information into the system creating the application and background check request. KDADS conducts the background check, attaches the results to the electronic application and shreds hard copies of the results. A PDF of the results is then **emailed** to the PRTF. Turn-around time for manual checks is generally three days.

### **Renewal Applicant:**

Each renewal, volunteer or contract applicant is required to complete a self-report form and sign a consent form. At least 60 days prior to the license renewal, **email** KDADS the completed spreadsheet, **mail** copies of each applicant's consent form, self-report and fingerprint cards and waivers for those meeting that requirement to KDADS. KDADS will complete the list of

background checks in its entirety and email the PRTF the results prior to the license renewal date. The PRTF may retain the original forms as determined by their internal office process.

### **Fingerprints: (Searches the FBI National Database and Kansas Central Repository)**

KDADS policy requires every initial (new) applicant or renewal (current) applicant, including volunteers, or contract staff currently living outside of the state or who has resided outside of the state within the last five years, submit fingerprints as part of their criminal history background check.

**KBI Waiver Agreement and Statement:** The KBI, who conducts the Criminal Background Fingerprint Checks, requires each applicant to sign a Waiver Agreement and Statement. The PRTF and applicant complete their appropriate portion of the form. A copy is retained by the applicant. Mail the original waiver along with the fingerprint card to KDADS.

**Fingerprint Cards:** Complete the fingerprint card and mail along with the original waiver to KDADS. Multiple fingerprint cards and waivers can be mailed in the same envelope. Upon receipt, KDADS logs receipt of the fingerprints. Fingerprints and waivers are delivered to the KBI on a daily basis. The KBI returns the results and waiver to KDADS usually within five to seven days. The KBI retains the prints. KDADS furnishes the PRTF's with fingerprint cards.

**Option To Use Outside Authorized Fingerprinting Agents:** KDADS policy defines an authorized fingerprinting agent as a police or sheriff's department. The applicant must take the waiver along with a driver's license or photo ID to an authorized agent. The agent will provide the applicant a copy of the electronic prints. Follow the same mailing procedure for all fingerprint cards. Police and Sheriff's departments may charge a fee for this service.

### **Background Check Results:**

#### **Background Check "Match" (Rap Sheet)**

If the manual or fingerprint background check results in a 'match' meaning the applicant has a criminal history, a rap sheet is generated. KDADS Legal Division reviews the rap sheet. The result of the background check is considered before KDADS makes the decision to grant or deny security clearance. See 8.9 Security Clearance: Background Check, for the list of prohibited crimes and conduct. The rap sheet and waiver is attached to the applicant's electronic application and the hard copy shredded. If security clearance is denied, KDADS will, within seven days, mail a certified letter denying the applicant security clearance to the PRTF and email the PRTF designee a copy of the denial letter.

#### **Background check "No Match" (Report)**

If the manual or fingerprint background check does not find any criminal history ("no match"), a report is generated stating "there were no results returned." The report and or waiver are attached to the electronic application and hard copies are shredded.

**Child Abuse and Neglect Central Registry, Adult Abuse Neglect and Exploitation Central Registry and the Kansas Automated Eligibility and Child Support Enforcement System (Welfare Fraud) Maintained by the Kansas Department for Children and Families (DCF):**

The background check will include a check of the child abuse and neglect central registry, adult abuse neglect and exploitation central registry and the Kansas automated eligibility and child support (Welfare Fraud) enforcement system maintained by the Kansas Department for Children and Families (DCF). If an initial or renewal applicant has a finding on the child or adult abuse registry security clearance is denied. A finding of welfare fraud does not automatically result in security clearance denial. The findings may however, be taken into consideration when determining whether to grant security clearance.

Child Abuse Registry check is a daily automated process; the Adult Abuse Registry checks are run manually by KDADS on a daily basis. Welfare Fraud checks are run manually by DCF. Turn-around time for the Welfare Fraud checks is usually three days. DCF is prohibited from providing KDADS any details of a finding on any of the registries. The applicant may contact DCF for information about the finding and the expungement process if they so choose. Written proof of an expungement must be provided to the PRTF and then forwarded to KDADS before a final decision to grant security clearance is considered by KDADS Legal Division.

**Driver's License:**

Enter in state or out of state driver's license information. However, checks are only run on Kansas license holders.

**Encryption:**

All emails containing any individual's personal information, birthdate, social security number **MUST** be encrypted. Please check with your IT on how to send an encrypted email.

**Invoice and Payment Submission:**

Around the 15th of each month an invoice and payment submission form will be emailed to the PRTF designee. Payment is due 30 days from the day the invoice is emailed. KDADS accepts checks, MasterCard or Visa credit cards. Credit card payments may be emailed or mailed.

**ENCRYPT ALL PAYMENTS SUBMITTED BY EMAIL.**

**KDADS Mailing Address:**

Kansas Department of Aging and Disability Services  
503 S Kansas Avenue  
Topeka, KS 66603

**Direct all payments being mailed to KDADS to Attention Karla, Legal/HR Department.**