

Appendix E
Background Screening
Clearinghouse Instructions

DEPARTMENT OF ELDER AFFAIRS PROGRAMS AND SERVICES HANDBOOK
Appendix E: Background Screening Clearinghouse Instructions

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Section I: Overview

- A.** Per Section 435.12 F.S., the Agency for Health Care Administration (AHCA), in consultation with the Department of Law Enforcement, created the Care Provider Background Screening Clearinghouse (Clearinghouse).

The Department Elder Affairs (Department) is one of seven state agencies that uses the statewide screening database Clearinghouse. Other participating agencies are:

- Agency for People with Disabilities
- Agency of Health Care Administration
- Department of Children and Families
- Department of Elder Affairs
- Department of Education – Vocational Rehabilitation
- Department of Health
- Department of Juvenile Justice

The Clearinghouse provides a single data source administered by the AHCA for background screening results for persons screened for candidacy as an employee/independent contractor or volunteer that provides service to children, the elderly and disabled individuals. The Clearinghouse allows the results of criminal history checks to be shared among participating specified agencies, reducing duplication and costs. The Clearinghouse provides numerous benefits to our Area on Agencies on Aging (AAA), Lead Agencies, Local Services Providers, and Providers that contract directly or indirectly with the Department.

As of September 15, 2015, all DOEA providers are required to use the Clearinghouse for level 2 background screening. For further information on background screening process see the listed website: <https://elderaffairs.org/about-us/background-screening/>

- B.** All direct serve providers shall include executives, administrators, financial officers, coordinators, managers, supervisors, and any person responsible for the day-to-day operation of the AAA's, Local Services Providers and Providers that contract directly or indirectly with the Department of Elder Affairs. Section 430.0402 (1) (b), F.S., requires completion of a Level 2 background screening through the Department of Elder Affairs Portal – Care Provider Background Screening Clearinghouse (Clearinghouse). Background screenings previously completed through another Specified Agency are not considered fulfillment of this obligation.

The Clearinghouse is not intended to be used in place of the direct service providers human resources department and should not be used for non-direct service providers. Improper use of the Clearinghouse may result in penalties to the

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Department by Florida Department of Law Enforcement (FDLE) and Federal Bureau of Investigations (FBI).

Pursuant to Section 430.0402(1) (b) and (4), F.S use of the Clearinghouse is required and limited to Direct Service Providers only, and failure to comply with any background screening requirement is a direct violation of the above listed statutes.

Pursuant to Chapter 435 and Section 430.0402(2)(c), F.S. Level 2 background screening is not required for the following direct service providers:

- Volunteers that are DSP who assist on an intermittent basis for less than 20 hours per month and who are not listed on the Department of Law Enforcement Career Offender Search:
<http://www.fdle.state.fl.us/coflyer/home.asp> and the Dru Sjodin National Sex Offender Public Website: <https://www.nsopw.gov/>,

NOTE: *The program that provides services to the elderly is responsible for verifying that the volunteer is not listed on each database.*

Section II: Clearinghouse Procedures

- A.** All AAA's, Local Services Providers and Providers that contract directly or indirectly with the Department are required to create a user account under the Department *Clearinghouse portal* and generate a user agreement within the Clearinghouse. Email a scanned copy of the user registration agreement and driver's license and submit to doanetwork@elderaffairs.org for processing.

AHCA has begun rolling out enhancements to the Clearinghouse website in a multi-phase project. Important updates about the progress of the Clearinghouse will be posted on this page: <https://apps.ahca.myflorida.com/SingleSignOnPortal>.

- B.** Registration in the Clearinghouse:

If you are not enrolled as a Department Provider, you will need to first submit a request to doanetwork@elderaffairs.org. The Background Screening Unit will disburse an email template to each potential provider.

Contact – Background Screening Unit Email Address-doanetwork@elderaffairs.org

Subject Line – BGS User Registration

Body of Email – Require Template for Access to DOEA Portal

Note: *Your request for access to the Clearinghouse Results Website will be in 'Pending' status until the Background Screening Coordinator receives and processes your "User Registration Agreement." Only after the approval occurs will the User have access to the Clearinghouse.*

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C. Utilizing the Clearinghouse:

- Once access has been granted to all AAA's, Local Services Providers and Providers that contract directly or indirectly with the Department they will receive an email message from doeanetwork@elderaffairs.org and may begin the process of fingerprinting candidates and adding or updating the employee roster.
- Many specified agencies are human services governmental entities, responsible for administration of similar services to authorized service populations, and it is common for Direct Service Providers to provide services across corresponding specified agencies within the Clearinghouse; however, Direct Service Provider Candidates of Department programs are required to have a Department eligibility determination in the Clearinghouse.

D. Candidate Procedures:

- Prior to sending any Candidate to the LiveScan Vendor (Fingerprint Provider), Clearinghouse Users are required to initiate a search to determine whether the Candidate is already within the Clearinghouse to avoid replication of Candidate information within the system.
- If a Candidate possesses an "Eligibility Statement" from another *Specified Agency* within the Clearinghouse, a Provider is required to request a Department Agency Review at no cost. The Agency Review is possible if a photograph is attached to the Profile Page.
- However, if no photograph is attached to the Profile Page, an Agency Review will not be available, and the Provider will have to "Initiate a New Screening."

E. Agency Review Benefits: The Department's Agency Review allows the Specified Agency to make an eligibility determination for employment purposes. Benefits of requesting a DOEA Agency Review include the following:

- "Agency Review" requests are FREE to the Provider and Candidate/Employee.
- The Candidate does NOT need to visit a LiveScan location to submit new fingerprints. The Provider will receive a copy of the public rap sheet after initiating an Agency Review.

F. Employee/Contractor Roster: The employment history records are vital to receiving necessary information from the Clearinghouse, or another *Specified Agency*, and receiving updates such as follows:

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- Subsequent arrest notifications; and
- Expiring retained fingerprint notifications.

NOTE: The Florida Department of Law Enforcement removes all screenings that do not have an active link to a Provider in the Retention Data Base.

Per Section 435.12(2) (c) F.S., an Employer of persons, subject to screening by a Specified Agency is required to register with the Clearinghouse and maintain the employment status of all Employees within the Clearinghouse. Initial employment status and any changes in employment status are required to be entered within 10 business days.

G. Required Forms & Guides

In accordance with the Department's Best Practice and Contract language, all approved Department Candidates and all approved SHINE Volunteers are required to sign the current "Attestation of Compliance Candidate Form and attach the "Eligibility Statement" on a yearly basis. The Attestation of Compliance – Employer Form shall be updated on an annual basis, however; this does not require the Candidate (employee) to undergo an annual screening. The form Attestation of Compliance – Candidate (employee) Form (236) shall be maintained within the Candidate (employee) File. These documents can be found at the following website: <https://elderaffairs.org/about-us/background-screening/background-screening-clearinghouse-training-accessing-the-clearinghouse/>.

The following forms are to remain with personnel for monitoring purposes:

- Signed and dated Privacy Policy
- Signed and dated current Attestation of Compliance Employer Form
- Copy of Eligibility Statement.

NOTE: Only the current Attestation of Compliance Employee Form satisfies monitoring requirements.

The additional resources listed below are located on the Clearinghouse informational page at the following website:

http://ahca.myflorida.com/MCHQ/Central_Services/Background_Screening/CH_Instructions_Guides.shtml

User Registration Training & Guides:

- User Registration Training Video
- Clearinghouse Results Training Videos
- DOEA - User Registration Guide

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- DOEA – Clearinghouse Results Website Guide

H. Request for Assistance: Requests for assistance, clarification, or general questions regarding the responsibilities related to Personal Identification Information and Criminal Justice Information should be sent to the DOEA Background Screening Coordinator.

All DOEA- Aging Network Clearinghouse concerns are to be addressed within an encrypted email:

Notification to the Background Screening Coordinator: Valerie Brinkley

Phone Number: (850) 414-2093

Email Address: doeanetwork@elderaffairs.org

Subject Line: BGS Clearinghouse Request for Assistance

Body of Email: State the exact problem and include a screenshot (if possible).

When inquiring about a Candidate, the following information is required:

- Full Name
- Date of Birth (DOB)