

Idaho Substance Abuse Prevention Criminal History Check Policy

(updated 3/26/2010)

What is an IDHW Criminal History Check?

An Idaho Department of Health & Welfare (IDHW) Criminal History Check (CHC) is a fingerprint-based check consisting of a self-declaration, fingerprints, and additional information obtained from the Federal Bureau of Investigation (FBI), Bureau of Criminal Identification, Idaho driving records, the statewide Child Abuse Registry, Adult Protection Registry, Sexual Offender Registry, Nurse Aide Registry and the Office of Inspector General exclusion list.

Why are CHCs required?

CHCs are required of anyone who delivers Benchmark-funded direct care or services to children or vulnerable adults, based on the following business and government standards.

- Benchmark's Request for Funding Application to Deliver Substance Abuse Prevention Services
- Benchmark's Substance Abuse Prevention Contract
- IDHW Bureau of Substance Abuse Disorders, Substance Abuse Program Standards
- Idaho Administrative Rules governing Alcohol/Drug Abuse Prevention & Treatment IDAPA 16.06.03
- Idaho Administrative Rules Governing Mandatory Criminal History Checks IDAPA 16.05.06

Who must get a CHC?

All individuals who receive Benchmark funding to deliver substance abuse prevention services to youth under age 18 or vulnerable adults must have a current Criminal History Check. CHCs must be conducted by the Idaho Department of Health and Welfare Criminal History Unit *unless the individual delivers services as part of their employment by a school district or law enforcement agency (see below).*

IDHW Criminal History Unit CHCs.

IDHW CHCs are processed and issued by the Idaho Criminal History Unit (CHU): See their brochure for full details: <https://www.chu.dhw.idaho.gov/CH/Documents/Brochure.pdf>.

- The application is completed on-line and submitted to the CHU. A fingerprint appointment may also be scheduled on-line.
- Every applicant must have an employer identification number from the employer or agency who is requiring you to have a background check. You will need this number to complete the background check application (https://www.chu.dhw.idaho.gov/CH/Form/User/Register_User.aspx).
- For SFY 2010, the cost of an IDHW CHC is \$55. Fees may be paid with cash, check or money order.
- The Department staff will collect your fingerprints at the fingerprint locations and notarize your signature on the application.
- Once the application and fingerprints have been submitted, the Criminal History Unit receives the criminal information results from the FBI in an average of one to three days. If a criminal record is found that requires additional research, the check may take additional time.
- Once the background check results are received and processed, a final status will appear on the applicant's status page and an e-mail notification will be sent to the employer and the applicant. Employers may log on to the system and look up employee applications and print a Notice of Clearance Letter.

The final Notice of Clearance letter is the only acceptable form of proof that a DHW CHC has been passed. A copy of the final DHW CHC Notice of Clearance letter must be on file at Benchmark for each staff person. The Provider should also keep a copy with their confidential personnel records.

Department of Education or Idaho State Police CHCs. *If the individual delivers services as part of their employment by a school district or law enforcement agency, you may submit documentation on agency letterhead that a cleared CHC was conducted and is on file at the respective agency. You do not need to submit the actual DOE or ISP CHC clearance documentation. An exemption from this policy may be requested by contacting Terry Pappin at 208-334-6542.*

For these two agencies, the person must:

- have had a background check within the past five years, conducted by the DOE or ISP, **and**,
- be identified by name on department or agency letterhead as having a clear and current background check in good standing.
- The agency must agree to notify the Department if there is a change in the criminal history status of a staff person providing prevention services, no later than 10 days after the finding.

What About Volunteers?

Benchmark strongly advises that contracted service providers and community coalitions under contract to have all regular volunteers who assist in providing services complete a criminal history check. Benchmark believes that checking volunteers is a reasonable practice aimed at protecting minors and vulnerable adults.

All unchecked volunteers must NEVER be left alone with children or vulnerable adults and must be accompanied and monitored by a staff member with a current and valid background check at ALL times throughout the activities and/or delivery of services. This includes parents and adults who help out on rare occasions.

Benchmark cautions all contracted service providers and community coalitions that continued use of unchecked volunteers may place themselves, their staff and their programs participants at potential risk, and may expose the contracted service provider, community coalition or staff to liability issues and possible legal action. The contracted service provider or community coalition is solely responsible for any liability issues or legal action that arises for having unchecked volunteers assisting with prevention services or coalition activities.

How long does an IDHW CHC remain valid?

At the employer's discretion, a background check is transferable to a new employer or service program for up to three years from the date of completion. If you change employers and it has been less than three years since the completion of the Department background check, the employer may chose to have another Department background check or at a minimum, must conduct a check of Idaho criminal records through the Idaho State Police.

If you change employers and it has been more than three years since the completion of a Department background check you are required to have another fingerprint based background check through the Department. Your employer may request a new criminal history background check through the Department at any time.