
Guidance: Expediting Background Checks for New DSPs

March 26, 2020 | DODD

To help Ohio Department of Developmental Disabilities (DODD) waiver and intermediate care facilities (ICF) providers maintain sufficient staffing throughout the coronavirus (COVID-19) state of emergency, DODD is making the following change to assist in expediting the onboarding process for new direct support professionals (DSPs).

Ohio Administrative Code 5123-2-02 (C)(6) requires both waiver and ICF providers to initiate a criminal record check through the Bureau of Criminal Identification and Investigation (BCII) and/or Federal Bureau of Investigation (FBI) before employing an applicant.

During the current state of emergency, if a provider is unable to initiate the required BCII and/or FBI check before employment, the provider can employ an applicant and has up to 10 calendar days to initiate the BCII and/or FBI criminal record check.

The applicant can continue to provide services as long as the required criminal record check is initiated within 10 days. OAC 5123-2-02 (C)(7) allows a provider to conditionally employ an applicant for up to 60 days while awaiting the results of the BCII and/or FBI criminal record check.

This change applies only to BCII and/or FBI criminal records checks. Providers must continue to comply with all other pre-employment requirements contained in OAC 5123-2-02, including:

- (C)(2): Checking the seven specified databases to determine if the applicant is included.
- (C)(4): When the applicant will be transporting individuals or operating the agency's vehicles, verifying the applicant has a valid motor vehicle operator's license and obtaining the applicant's driving record prepared by the Bureau of Motor Vehicles.
- (C)(5)(a): Requiring the applicant to submit a statement attesting that he or she has not been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for a disqualifying offense.
- (C)(5)(b): Having the applicant sign an agreement to notify the agency within 14 calendar days if he or

she is formally charged with, is convicted of, pleads guilty to, or is found eligible for intervention in lieu of conviction for a disqualifying offense.

- This change also only applies to employees of provider agencies. DODD will not certify a new independent provider without a completed criminal record check.

DODD is including this provision in its submission of Appendix K to the Centers of Medicare and Medicare Services (CMS), which covers temporary changes to DODD waivers during the state of emergency. The Ohio Department of Medicaid (ODM) is also including this provision in its overarching request to CMS for emergency considerations that apply to all Medicaid state plans services, which includes ICF services.

Guidance from Ohio Attorney General's Office

(From Virginia Potts, Identification Supervisor, BCII)

At this time, the Ohio Attorney General's (AG) Office suggests that applicants should call ahead before traveling to any WebCheck location to verify the location is providing fingerprinting services. View the AG's WebCheck location [web page](#) for details.

[Fastfingerprints.com](#) has eight WebCheck locations open, and applicants can visit the website for information about scheduling an appointment.

If an applicant cannot find an open WebCheck agency, they can print fingerprint cards from the AG's website and use an inkpad to roll their own prints. Under the "Background Checks" section of the [website](#), download and print the "BCI Fingerprint Card" and "FBI Fingerprint Card."

Tips for Self Fingerprinting

First, ink all of the first joint of your finger. Then, place your finger on its left side with the fingernail touching the paper. Next, in one motion, roll your finger until the right side of the fingernail touches the paper. Continue this for all fingers.

Completed fingerprint cards and payment can be mailed to the AG's Office.

Information and Resources

Please continue to exercise flexibility to ensure the health and safety of Ohioans with developmental disabilities and their families.

DODD support teams are available and consist of staff ready to help county boards and providers.

DODD has set up a dedicated web page for department communications and links to helpful resources that will advise people with disabilities, their families, service providers, direct support professionals, county boards of developmental disabilities, and the community at large.

For specific questions about COVID-19 and additional information and resources, DODD urges you to use the Ohio Department of Health’s call center. Call 1-833-4-ASK-ODH (1-833-427-5634), or visit coronavirus.ohio.gov.

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