

Nancy K. Keeling
Authorized Signature

Number: CW_IM_08_014
Issue Date: 06/16/2008

Topic: Foster Care

Subject: Child Abuse Checks for foster/adoptive families

Applies to (check all that apply):

- | | | | |
|-------------------------------------|-------------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | All DHS employees | <input type="checkbox"/> | County Mental Health Directors |
| <input type="checkbox"/> | Area Agencies on Aging | <input type="checkbox"/> | Health Services |
| <input checked="" type="checkbox"/> | Children, Adults and Families | <input type="checkbox"/> | Seniors and People with Disabilities |
| <input type="checkbox"/> | County DD Program Managers | <input type="checkbox"/> | Other (please specify): |

Message:

This memorandum concerns some changes in the process for completing the child abuse and neglect background checks required by the federal Adam Walsh Child Protection and Safety Act. Under the new law DHS is required to check for the existence of any founded abuse or neglect history for any adult living in a prospective foster or adoptive home. This includes a requirement to check for the existence of any record of founded abuse/neglect in any state in which a subject individual has lived within the past five years. If the individual has lived in Oregon for all of the past five years, there is no requirement to check for child abuse/neglect history in other states, but a check of our own in-state abuse/neglect records is still required. Up until now it has been the responsibility of Child Welfare field personnel to contact other states to obtain the child abuse/neglect background checks required by the Adam Walsh Act. **From this point forward the DHS Criminal Records Unit (CRU) will assume responsibility for performing this work.** When the CRU receives a signed form 1011F (Consent for Criminal Records and Fingerprint Check) from a branch office, the CRU will determine if the form indicates that the subject individual has lived out-of-state within the past five years. If so, the CRU will contact the identified state or states to obtain a child abuse/neglect background check. When the CRU receives the results of such a check back from another state, the results will be immediately forwarded to the appropriate personnel in the branch. Due to the fact that interstate child abuse/neglect background checks are likely to take longer to process than the Law Enforcement Data System (LEDS) checks also run by the CRU, the CRU will return the results of LEDS checks to the branch as soon as the LEDS results are available. Once the LEDS results are

received, the branch office has the option to proceed with a child-specific certification of the home. The results of any required interstate child abuse/neglect checks will follow afterwards. If any child abuse/neglect information is received from another state with regard to a household member of a home that was previously certified, the home's continued certification must be re-evaluated with respect to the information received. Please note that there is no need to specifically request an interstate child abuse/neglect background check from the CRU. The CRU will automatically run these checks whenever the CRU receives a form 1011F indicating that a subject individual has lived out-of-state within the past five years. Branches may check on the status of an interstate child abuse/neglect background check by contacting the CRU at (503) 378-5470. If there is no longer a need for the child abuse/neglect background check information due to withdrawal of an application, and the results of the check have not yet been received, please notify the CRU that the check is no longer needed. Please also keep in mind that the CRU will only conduct **interstate** child abuse/neglect background checks. It is still the responsibility of the Child Welfare branch to complete a search of the department's own records to determine if subject individuals have any child abuse/neglect history in Oregon. The search for in-state abuse/neglect history and completion of an in-state LEDS check must occur prior to a child-specific certification.

If you have any questions about this information, contact:

Contact(s):	Harry Gilmore		
Phone:	503-945-6685	Fax:	503-947-5072
E-mail:	Harry.gilmore@state.or.us		