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Authorized Signature
Number: CW_IM_08_017

Issue Date: 09/04/08

Topic: Other

Subject: New fingerprinting requirements

Applies to (check all that apply):

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|-------------------------------------|-------------------------------|-------------------------------------|---|
| <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 checked="" type="checkbox"/> | Other (please specify): See distribution instructions above |

Message:

Beginning on October 1st of this year federal law will require DHS to begin fingerprint-based FBI criminal background checks for all relative care, foster care and adoptive applicants and all adult residents of an applicant's home. Current CAF criminal background check rules require fingerprint-based checks only in certain circumstances: when the person being checked (the subject individual) has lived outside of Oregon within the previous five years, when the subject individual discloses criminal history, or when a check of the Oregon Law Enforcement Data System (LEDS) reveals criminal history in Oregon. Beginning on October 1st all persons who meet the definition of subject individual in CAF policy I-G.1.4 (Criminal History) will need to submit to a fingerprint-based FBI check in addition to the LEDS check already required for all subject individuals.

When the need for an emergency placement exists, DHS will still have the ability to issue a child-specific certificate of approval and to place children in a child-specific certified home before the required fingerprint-based FBI checks are completed. When this occurs the fingerprint-based checks must be completed within the 90-day time limit allowed by the certification policy for completing all remaining activities required for full and final certification of the home (see OAR 413-200-0274).

Families that are certified to provide relative care or foster care, or approved to adopt, prior to the October 1st change will not be required to meet the new fingerprinting requirements for as long as their certification or adoption approval continues without interruption. Individuals who complete a fingerprint-based FBI check as part of a foster

certification or adoption approval after the October 1st change will not be required to complete new fingerprint-based checks at the point of recertification or renewal of adoption approval unless the individual lives outside of Oregon for some portion of the period leading up to recertification or renewal of adoption approval. An Oregon LEDS check will still be required for all subject individuals prior to recertification or renewal of adoption approval.

The process for obtaining a fingerprint-based FBI check will remain the same as it is now. Fingerprint cards will be submitted to the DHS Criminal Records Unit (CRU) along with completed consent from (CF 1011F) signed by the subject individual. Currently the average turn-around time for FBI check results is about two weeks from the date the CRU receives the fingerprint cards. All aspects of the Child Welfare criminal history exceptions process will remain the same. If and when an FBI check reveals previously unknown criminal history on the part of a subject individual residing in a home that was previously issued a child-specific certification for purposes of emergency placement, the certification will need to be re-evaluated, and a criminal history exception will be required in order for the certification to continue.

The Child Welfare Criminal History rules (I-G.1.4)

http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g14.pdf and the rules for Certification of Relative Caregivers, Foster Parents and Pre-Adoptive Parents (II-B.1

http://www.dhs.state.or.us/policy/childwelfare/manual_2/ii-b1.pdf and II-B.1.1

http://www.dhs.state.or.us/policy/childwelfare/manual_2/ii-b11.pdf) will change on October 1st to reflect the new fingerprinting requirements.

If you have any questions about this information, contact:

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