

Cathy Cooper  
Authorized Signature

**Number:** SPD-AR-10-023  
**Issue Date:** 4/1/2010

**Topic:** Foster Care

**Due Date:**

**Subject:** Urgent: New Implementation Date for Criminal Records Checks in All  
Licensed Adult Foster Homes

**Applies to (check all that apply):**

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

**Action Required:**

As ORS 443.004 is effective July 28, 2009, the Department of Human Services requires you to submit information pertaining to all commercial, limited and relative adult foster homes and any person paid directly or indirectly who has contact with residents of adult foster homes. The information for the following subject individuals **must be submitted to the Background Check Unit (BCU) no later than 5:00 PM on Wednesday April 7<sup>th</sup>, 2010:**

- Anyone newly licensed as an adult foster home provider between July 28, 2009 and January 1, 2010;
- Any provider whose adult foster home is still currently open under a renewed license issued between July 28, 2009 and January 1, 2010;
- All caregivers (including employees, household members or other subject individuals who provide resident care in an adult foster home) who were hired or were subject to a criminal records check between July 28, 2009 and January 1, 2010.

Please include the following:

- Full Name
- Date of Birth
- Social Security Number (if available)
- Current Position
- Date of Licensing, hire or placement in position (if available)

You may submit the information to the Background Check Unit (BCU) by:

- E-mail: [cru.info@state.or.us](mailto:cru.info@state.or.us)
- Mail: Jeff Akin, BCU, P.O. Box 14870, Salem, OR 97309-5066
- Fax: (503) 378-6314 Attention: Jeff Akin

**Important Notes:**

Please do not send 301 forms. Provide only the requested information as mentioned above. For any questions about the required information, please contact the Background Check Unit (BCU) directly.

Pending License Renewals: Policies and guidance pertaining to criminal record re-checks for providers subject to license renewal and other individuals who were subject to a criminal records check on or after January 1, 2010 will be issued soon.

**Reason for Action:**

The Department received clarification that Oregon Revised Statute (ORS) 443.004 (also known as Section 6 of HB 2442 for vulnerable adults) is effective as of July 28, 2009. As part of this legislation, public funds may not be used to support, in whole or in part, the employment in any capacity of an individual who has contact with a recipient of home health or in-home care agency services or support services; or contact with a resident of a residential facility or an adult foster home, if that individual has specific convictions.

Specifically, this legislation directly impacts licensed providers of commercial, limited and relative foster homes, and any person paid directly or indirectly who has contact with residents of adult foster homes.

In order to effectively review the criminal record checks performed between July 28, 2009 and January 1, 2010, for crimes covered by ORS 443.004, the DHS Background Check Unit (BCU) has requested we take the action noted above. This information must be submitted to the BCU for reporting purposes and to ensure compliance.

**Field/Stakeholder review:**     Yes     No

**If yes, reviewed by:**    Policy Group, Operations Committee

*If you have any questions about this action request, contact:*

<b>Contact(s):</b>	Sylvia Rieger, AFH Operations and Policy Analyst		
<b>Phone:</b>	(503) 945-6403	<b>Fax:</b>	(503) 378-8966
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