Appendix E
Background Screening Clearinghouse Instructions

TABLE OF CONTENTS

Section	Topic	Page
I.	Overview	E-3
II.	Clearinghouse Procedures	E-4

Section I: Overview

A. Pursuant to Section 435.12, F.S., the Agency for Health Care Administration (AHCA), in consultation with the Florida Department of Law Enforcement (FDLE), created the Care Provider Background Screening Clearinghouse (the Clearinghouse).

The Department of Elder Affairs (DOEA or the Department) is one of eight state agencies that uses the statewide screening database Clearinghouse. Other Specified Agencies include:

- Agency for People with Disabilities
- Agency of Health Care Administration
- Department of Children and Families
- Department of Education – Vocational Rehabilitation
- Department of Health
- Department of Juvenile Justice
- Florida Medicaid
- Florida Medicaid Managed Care

AHCA administers the Clearinghouse, which provides a single data source for background screening results for persons screened for candidacy as an employee, independent contractor, or volunteer providing services to children, the elderly, and disabled individuals. The Clearinghouse allows the results of criminal history checks to be shared among the Specified Agencies, reducing duplication and costs. The Clearinghouse provides numerous benefits to Area on Agencies on Aging (AAA), Lead Agencies, Local Services Providers, Adult Care Food Program (ACFP) Providers, and Providers that contract directly or indirectly with the Department.

As of September 15, 2015, all DOEA providers are required to use the Clearinghouse for Level 2 background screening. For further information on the background screening process, please see the following website: https://elderaffairs.org/about-us/background-screening/

B. Direct Service Providers shall include executives, administrators, financial officers, coordinators, managers, supervisors, and any person responsible for the day-to-day operation of the AAA's, Local Services Providers and Providers that contract directly or indirectly with the Department of Elder Affairs. Section 430.0402 (1) (b), F.S., requires completion of a Level 2 background screening through the Department Portal – Care Provider Background Screening Clearinghouse. Background screenings previously completed through another Specified Agency are not binding on the Department. The Clearinghouse is not intended to be used in place of the Direct Service Provider's human resources department and should not be used for non-direct service providers. Improper use of the Clearinghouse may result in penalties imposed

by the Department by Florida Department of Law Enforcement (FDLE) and Federal Bureau of Investigations (FBI).

Pursuant to Section 430.0402, F.S., use of the Clearinghouse is required of and limited to Direct Service Providers only, and failure to comply with any background screening requirement is a direct violation of the statutes.

Pursuant to Section 430.0402(2)(b) and (c), F.S. Level 2 background screening is not required for the following Direct Service Providers:

- Relatives. For purposes of this section, the term "relative" means an individual who is the father, mother, stepfather, stepmother, son, daughter, brother, sister, grandmother, grandfather, great-grandmother, great-grandfather, grandson, granddaughter, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister of the client.

Volunteers that are Direct Service Providers who assist on an intermittent basis for less than 20 hours per month and who are not listed on the FDLE Career Offender registry: https://coffender.fdle.state.fl.us/coffender/coast/home.jsf or the Dru Sjodin National Sex Offender Public Website: https://www.nsopw.gov.

NOTE: *The program that provides services to the elderly is responsible for verifying that the volunteer is not listed on either database.*

Section II: Clearinghouse Procedures

A. All AAA's, Local Services Providers and Providers, that contract directly or indirectly with the Department are required to create a user account under the Department's Clearinghouse portal *and* generate a user agreement within the Clearinghouse.

Email a scanned copy of the user registration agreement and submit to doeanetwork@elderaffairs.org for processing.

As of November 18, 2024, AHCA has rolled out the New Clearinghouse Portal, available at https://crw.flclearinghouse.com.

B. Registration in the Clearinghouse:

If you are not enrolled as a Department Provider, you will need to first submit a request to doeanetwork@elderaffairs.org. The Background Screening Unit will send an email template to each potential provider. To submit a request, please comply with the following format:

Contact – Background Screening Unit Email Address-doeanetwork@elderaffairs.org

Subject Line – BGS User Registration

Body of Email – Require Template for Access to DOEA Portal

***Note**: Your request for access to the Clearinghouse Results Website will be in 'Pending' status until the Background Screening Coordinator receives and processes your "User Registration Agreement." Only after approval will the User have access to the Clearinghouse.*

C. Utilizing the Clearinghouse:

- Once access has been granted to AAA's, Local Services Providers or Providers that contract directly or indirectly with the Department, they will receive an email message from doeanetwork@elderarffairs.org and may begin the process of fingerprinting candidates and adding or updating the employee roster.
- Many Specified Agencies are human services governmental entities, responsible for administration of similar services to authorized populations, and it is common for Direct Service Providers to provide services across corresponding specified agencies within the Clearinghouse. Notwithstanding, Direct Service Provider Candidates for programs administered by the Department are required to have a eligibility determination from the Department in the Clearinghouse.

D. Candidate Procedures:

- Prior to sending any Candidate to the LiveScan Vendor (Fingerprint Provider), Clearinghouse Users are required to initiate a search to determine whether the Candidate is already within the Clearinghouse to avoid replication of information within the system.
- If a Candidate possesses an "Eligibility Statement" from another Specified Agency within the Clearinghouse, a Provider is required to request a Department Agency Review at no cost. The Agency Review will be conducted only if a photograph is attached to the Profile Page.
- If no photograph is attached to the Profile Page, an Agency Review will not be available, and the Provider will have to "Initiate a New Screening."

E. Agency Review Benefits: The Department's Agency Review allows the Specified Agency to make an eligibility determination for employment purposes. Benefits of requesting a DOEA Agency Review include the following:

- "Agency Review" requests are FREE to the Provider and Candidate / Employee.

- The Candidate does NOT need to visit a LiveScan location to submit new fingerprints. The Provider will receive a copy of the public rap sheet after initiating an Agency Review.

F. Employee / Contractor Roster: The employment history records are vital to receiving necessary information from the Clearinghouse or another Specified Agency, and for receiving updates such as:

- Subsequent arrest notifications; and
- Expiring retained fingerprint notifications.

NOTE: The Florida Department of Law Enforcement removes all screenings that do not have an active link to a Provider in the Retention Data Base.

Pursuant to Section 435.12(2)(c), F.S., an employer of persons subject to screening by a Specified Agency is required to register with the Clearinghouse and maintain the employment status of all Employees within the Clearinghouse. Initial employment status and any changes in employment status are required to be entered within 5 business days.

G. Required Forms & Guides

In accordance with the Department's Best Practice and Contract language, all approved Department Candidates and all approved SHINE Volunteers are required to sign an "Attestation of Compliance - Applicant Form." The Attestation of Compliance (Form 236) shall be maintained within the Applicant (employee) File.

The "Attestation of Compliance – Employer Form" (Form 235) shall be updated by the Employer on an annual basis. This update, however, does not require the Applicant (employee) to undergo an annual screening. The Attestation of Compliance - Employer Form is not to be executed until Provider has completed the following:

- Uploaded to the Provider List.
- Activated User Agreement.
- Completed all Applicant Screenings through Initiating New Screenings or Agency Reviews.
- Add all Applicants to the Employee / Contractor Roster.
- Complete Attestation Form 235 and return to the AAA.

The following forms are to remain with personnel for monitoring purposes:

1. Signed and dated Privacy Policy, only for Initiating a New Screening
    - Note: Fingerprinting of a new applicant does not take place on Renewals, Resubmission, or Agency Reviews. The above actions create a change of the DOEA determination date.

2. Signed and dated Attestation of Compliance - Employer Form
    - Note: This only takes place with the Initiating a New Screening and Renewal of Fingerprints.

3. Copy of Eligibility Statement.
    - Note: The Eligibility Statement is a comprehensive statement of all Specified Agencies with which the provider/candidate is associated.

NOTE: Only the current Attestation of Compliance Applicant Form satisfies monitoring requirements.

The additional resources listed below are located on the Clearinghouse informational page at the following website:

https://ahca.myflorida.com/health-quality-assurance/bureau-of-central-services/background-screening/clearinghouse/instruction-guides

User Registration Training & Guides: CRW Initiate New Screening

- Once a provider has access within the Clearinghouse, the “Help” icon on the Providers dashboard has all the training instruction and guidance for the Clearinghouse Result Website.

H. Request for Assistance: Requests for assistance, clarification, or general questions regarding the responsibilities related to Personal Identification Information and Criminal Justice Information should be sent to the DOEA Background Screening Coordinator.

All DOEA - Aging Network Clearinghouse concerns are to be addressed within an encrypted email to the Background Screening Coordinator: Valerie Brinkley, at doeanetwork@elderaffairs.org, (850) 414-2093.

The encrypted email should include the following:

- Subject Line: BGS Clearinghouse Request for Assistance
- Body of Email: State the exact problem and include a screenshot (if
- possible).
- When inquiring about a Candidate, include the full name and date of birth.