

NORTHCARE NETWORK

POLICY TITLE: Criminal Background Checks
POLICY EFFECTIVE DATE: June 26, 2002
BOARD ADOPTED: June 26, 2002
BOARD ADOPTED REVISIONS:
03/26/03; 08/27/03; 10/06/04

REVIEWED/REVISED:
March 8, 2005;
January 24, 2007

PURPOSE

To ensure all providers are in good standing with the law.

POLICY

Providers of specialty services and supports (including state plan, HSW, and alternatives) are chosen by the beneficiary and others assisting him/her during the person-centered planning process and must meet the staffing qualifications contained in the Medicaid Provider Manual. Providers must be in good standing with the law (i.e. not a fugitive from justice, a convicted felon, or an illegal alien) according to the MDCH/PIPH contract. Criminal background checks are to be completed prior to a new employee starting work, periodically during employment on all employees, and may be requested at the discretion of NorthCare. This includes direct employees, contract employees, and volunteers.

NorthCare will not directly nor through sub-contract w/provider agencies employ persons who:

- ❖ are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department:
- ❖ have been convicted of a felony or persons who have been convicted of a misdemeanor that has a direct relationship to the duties of the position. For example: A conviction of Medicaid fraud under \$500 would exclude a person from positions which require working with Medicaid recipients.

PROCEDURES

The following agencies have websites available to determine that the new employee is eligible for employment:

- 1) State of Michigan driver's license check - Need Michigan driver's license number, or name and birth date. (An account and approval from the State is needed for this web site.)
- 2) State of Michigan criminal background check - Need name, race, sex, birth date, social security number, and Michigan driver's license or State ID number. (An account and approval from the State is needed for this web site.)
- 3) Federal Exclusion lists check - Need name only. (Anyone can access this web site.)
- 4) Other sites available through local CMHSP Personnel Office.

Search results are to be printed and kept in the HR Office for potential employees and included in the employee's Personnel file. Notification is given to the supervisor regardless of the results. If an employee has been terminated and is rehired, a new background check is done.

Consumers who participate in a CMHSP (provided or contractual) workplace setting or program are NOT considered CMHSP employees under the governance of CMHSP Personnel Policies.

REFERENCES

- ✓ 42 CFR (Balanced Budget Act of 1997), 438.610
- ✓ Medicaid Provider Manual
- ✓ MDCH/PIHP Master Contract: Medicaid Managed Specialty Supports and Services Concurrent 1915(b)/(c) Waiver Program FY03-04.
- ✓ NorthCare Sanction Policy
- ✓ NorthCare Credentialing
- ✓ NorthCare Privileging Policy