

Workforce Background Check

Information and Provider Responsibilities

Bureau of Community and Health Systems



EFFECTIVE APRIL 1, 2006

- MCL 333.20173a (Public Health Code)
- MCL 330.1134a (Mental Health Code)
- MCL 400.734b (Adult Foster Care Licensing Act)

Nursing Homes

County Medical Care Facilities

Hospices

Hospitals with Swing Bed Services

Medicare Certified Home Health Agencies

Psychiatric Hospitals/Inpatient Units

Homes for the Aged

Adult Foster Care Facilities

Staffing/Contract Agencies (verified)



REQUIRES STATE AND FBI FINGERPRINT-BASED BACKGROUND CHECK

TIERED SYSTEM OF EXCLUSIONS

1 YEAR TO PERMANENT

Section (1) of laws provides exclusionary offenses/time frames. Prior legal guide should not be used due to changes in laws/policies

ALSO EXCLUDES FOR:

ANY FINDING OF NOT GUILTY BY REASON OF INSANITY (NGRI)

SUBSTANTIATED FINDINGS OF ABUSE, NEGLECT, OR MISAPPROPRIATION OF PROPERTY

RELEVANT FINDINGS ON REGISTRY CHECKS

Office of Inspector General (OIG)

Sanctioned Provider List (SPL)

Nurse Aide Abuse Registry (NAR)

Public Sex Offender Registry (PSOR)

Offender Tracking Information System (OTIS)



RAPBACKS

REQUIREMENT OF THE BACKGROUND CHECK LAWS

PROVIDES FOR CONTINUOUS MONITORING OF WORKFORCE (STATE OF MI ONLY)

WHEN A RECORD IS SUBMITTED TO THE MICHIGAN STATE POLICE (MSP) BY A LAW ENFORCEMENT AGENCY, PROSECUTOR, OR COURT MATCHING THE FINGERPRINTS ON FILE, MSP SENDS ELECTRONIC NOTIFICATION OF SUCH TO THE BACKGROUND CHECK UNIT

THE WORKFORCE BACKGROUND CHECK UNIT WILL NOTIFY EMPLOYERS OF ANY EXCLUSIONARY CONVICTION RECEIVED VIA RAPBACK

AN ARREST/CHARGE IS NOT CAUSE FOR TERMINATION

IF DISQUALIFIED, THE EMPLOYEE IS NO LONGER ELIGIBLE TO WORK IN A DIRECT ACCESS/DIRECT SERVICES POSITION



PROVIDER DASHBOARD IN THE miltcpartnership.org SYSTEM

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ID	First Name	Last Name	Facility Name	Created Date	Stage	Action
No record found.						

Quick Check: ALLOWS CHECK OF REGISTRIES WITHOUT BEGINNING A NEW APPLICATION

New Application: CLICK TO BEGIN A NEW BACKGROUND CHECK

Search Applications: SEARCH FOR ALL BACKGROUND CHECKS ENTERED INTO THE ACCOUNT

Manage Users: ALLOWS BACKGROUND CHECK ACCOUNT ADMINISTRATOR TO CREATE/DISABLE SUBUSER ACCOUNTS AND VERIFY STAFFING AGENCY/CONTRACTOR ACCOUNTS

In Progress: SHOWS BACKGROUND CHECKS YOU ARE CURRENTLY WORKING ON PRIOR TO FINGERPRINTING

Pending Results: SHOWS BACKGROUND CHECKS FOR WHICH YOU ARE AWAITING EMPLOYABILITY RESULTS AFTER SENDING THE APPLICANT FOR FINGERPRINTING

Employability Results: WHERE YOU CAN LOCATE COMPLETED BACKGROUND CHECKS AWAITING A FINAL HIRING DECISION



CAN I USE A DIFFERENT BACKGROUND CHECK SYSTEM?

NO! COVERED PROVIDERS MUST USE THE miltcpartnership.org WORKFORCE BACKGROUND CHECK SYSTEM

See Frequently Asked Questions on the miltcpartnership.org homepage for information about system access

STAFFING AGENCIES/CONTRACTORS WHO CONTRACT WITH COVERED PROVIDERS MAY CREATE AN ACCOUNT WITHIN THE miltcpartnership.org SYSTEM

Requires a one-time account registration fee of \$100.00

Requires verification by a covered provider

Allows for the secure “sharing” of eligibility determinations with covered providers

See Staffing and Contractor Agency Registration on the miltcpartnership.org homepage for further information/to complete registration

HOWEVER, STAFFING AGENCIES/CONTRACTORS ARE NOT REQUIRED TO CREATE A BACKGROUND CHECK ACCOUNT. IF THEY DO NOT, IT IS THE COVERED PROVIDER’S LEGAL RESPONSIBILITY TO COMPLETE THE BACKGROUND CHECK ON.....



WHO MUST GET A BACKGROUND CHECK?

THE BACKGROUND CHECK LAWS REQUIRE COVERED PROVIDERS TO CONDUCT A FINGERPRINT-BASED BACKGROUND CHECK ON PERSONS THEY ARE:

- **EMPLOYING**
- **INDEPENDENTLY CONTRACTING WITH**
- **GRANTING CLINICAL PRIVILEGES TO**

... WHO REGULARLY HAVE DIRECT ACCESS OR PROVIDE DIRECT SERVICES TO PATIENTS OR RESIDENTS OF THE COVERED FACILITY/AGENCY

THE LAWS AUTHORIZE ONLY THESE PERSONS TO BE BACKGROUND CHECKED IN THE miltcpartnership.org SYSTEM

“Direct Access” means, “... access to a patient or resident or to a patient’s or resident’s property, financial information, medical records, treatment information, or any other identifying information.”



MOST STUDENTS AND VOLUNTEERS DO NOT FALL UNDER THE BACKGROUND CHECK LAWS!

The background check laws do not require or authorize students to get a fingerprint based background check. Even if a student has “direct access” to patients or residents as a part of their educational program, students should only get a fingerprint based background check if they are also being granted clinical privileges by your facility or agency.

The background check laws do not require or authorize most volunteers to get a fingerprint based background check. Volunteers should only get a fingerprint based background check if they are also being granted clinical privileges by your facility or agency or if they are a hospice volunteer and meet the definition of employee as outlined in 42 CFR 418.3.

See Frequently Asked Questions on the miltcpartnership.org homepage



HOW DO I GET SOMEONE FINGERPRINTED?

YOU MUST OBTAIN A COMPLETED AND SIGNED CONSENT AND DISCLOSURE FORM FROM ALL APPLICANTS PRIOR TO BEGINNING THE BACKGROUND CHECK PROCESS (with the exception of covered providers obtaining a shared eligibility determination from a staffing agency/contractor, effective 2/21/19)

Consent and Disclosure form available under Information on the miltcpartnership.org homepage

MUST USE STATE CONTRACTED FINGERPRINT VENDOR: [IdentoGO by IDEMIA](#)

APPOINTMENTS MUST BE SCHEDULED FROM WITHIN YOUR miltcpartnership.org BACKGROUND CHECK ACCOUNT FOLLOWING THE PROVIDED PROMPTS

FINGERPRINTING ARRANGED OUTSIDE OF THE miltcpartnership.org SYSTEM OR CONDUCTED FOR A DIFFERENT PURPOSE, EG, HEALTHCARE LICENSURE, EDUCATION EMPLOYMENT, CANNOT BE USED

FOR INSTRUCTIONS ON FINGERPRINTING OUT-OF-STATE APPLICANTS SEE “[IdentoGO by IDEMIA NON RESIDENT CARD SCAN PROCESSING PROCEDURES](#)” UNDER “INFORMATION” ON THE miltcpartnership.org HOMEPAGE



HOW MUCH DOES THE BACKGROUND CHECK COST?

\$51.50 – RATE INCREASED \$1.25 BY FBI EFFECTIVE JANUARY 1, 2019

APPLIES TO ALL COVERED PROVIDERS AND STAFFING/CONTRACT AGENCIES WITH THE EXCEPTION OF ADULT FOSTER CARE FACILITIES AND HOMES FOR THE AGED

333.20173A(4) AMENDED EFFECTIVE FEBRUARY 11, 2018

AFTER OCTOBER 1, 2018 THE STATE WILL PAY FOR 40 BACKGROUND CHECKS PER YEAR FOR HOME FOR THE AGED FACILITIES WITH FEWER THAN 100 BEDS, AND FOR 50 BACKGROUND CHECKS PER YEAR FOR HFA WITH 100 BEDS OR MORE

AWAITING IMPLEMENTATION...

BACKGROUND CHECK LAWS STATE THAT PROVIDERS CANNOT REQUEST REIMBURSEMENT FOR THE COST OF THE BACKGROUND CHECK AND THAT PROSPECTIVE WORKERS CANNOT BE CHARGED FOR THE COST OF THE BACKGROUND CHECK



HOW DO I PAY FOR THE BACKGROUND CHECK?

CREDIT CARD ONLINE, BY FOLLOWING PROMPTS WITHIN THE miltcpartnership.org SYSTEM

MONEY ORDER OR COMPANY CHECK AT THE FINGERPRINTING APPOINTMENT

ESCROW ACCOUNT

See “IdentoGO by Idemia Escrow Account Packet” under Information on the miltcpartnership.org homepage

ALL QUESTIONS REGARDING APPOINTMENT SCHEDULING AND PAYMENT SHOULD BE DIRECTED TO IdentoGO by IDEMIA AT 866-226-2952



CUSTOMER DRIVEN. BUSINESS MINDED.

CAN I ACCEPT AN "IS ELIGIBLE" LETTER FROM A DIFFERENT FACILITY OR STAFFING AGENCY?

NO! EACH COVERED FACILITY/AGENCY MUST BE ABLE TO PROVIDE A LETTER WHICH STATES THAT THE EMPLOYEE, INDEPENDENT CONTRACTOR, OR PERSON BEING GRANTED CLINICAL PRIVILEGES IS ELIGIBLE TO WORK IN THEIR FACILITY/AGENCY

THE ELIGIBILITY DETERMINATION LETTER MUST CONTAIN THE NAME OF THE SPECIFIC FACILITY OR AGENCY AT WHICH THE PERSON IS WORKING

EVEN IF YOUR COMPANY OWNS SEVERAL DIFFERENT FACILITIES THE PERSON MUST OBTAIN A BACKGROUND CHECK UNDER THE ACCOUNT OF EACH SPECIFIC LOCATION/FACILITY AT WHICH THEY ARE WORKING

RAPBACKS! OUR OFFICE NEEDS TO KNOW WHERE PEOPLE ARE WORKING SO WE KNOW WHERE TO SEND NOTIFICATIONS



DOES EACH NEW BACKGROUND CHECK REQUIRE A NEW FINGERPRINTING?

NOT NECESSARILY.... THE milctpartnership.org SYSTEM IS DESIGNED TO PROVIDE A VALID "SHARED" ELIGIBILITY DETERMINATION WHEN AVAILABLE AT NO ADDITIONAL COST TO THE PROVIDER

IN MOST CASES A FINGERPRINT RESULT CAN BE USED FOR 12 MONTHS FOLLOWING THE DATE OF A PRIOR FINGERPRINTING UNDER THIS PROGRAM

Example: An applicant is printed for a covered provider on December 12, 2017. They can apply to work at a different covered facility/agency without needing to be reprinted until December 12, 2018.

REQUIRES MICHIGAN RESIDENCY FOR THE PRIOR 12 MONTHS

REQUIRES THAT THE PRIOR FINGERPRINTING WAS COMPLETED UNDER THIS PROGRAM (PRINTING FOR ANOTHER PURPOSE, E.G., HEALTHCARE LICENSURE, EDUCATION EMPLOYMENT, ETC. CANNOT BE USED)

NEW PRINTING IS NOT REQUIRED IF EMPLOYEE MAINTAINS EMPLOYMENT AT SAME FACILITY/AGENCY, BUT IS REQUIRED IF APPLYING AT NEW FACILITY/AGENCY IN ORDER TO OBTAIN UPDATED FBI RESULTS



HOW DO I OBTAIN A SHARED ELIGIBILITY DETERMINATION?

LOG IN TO YOUR BACKGROUND CHECK ACCOUNT

CLICK ON [New Application](#) TO BEGIN THE BACKGROUND CHECK PROCESS

COMPLETE THE REGISTRY CHECKS AND MAKE YOUR PRELIMINARY HIRING DECISION

THIS IS REQUIRED AS REGISTRY CHECK INFORMATION IS NOT INCLUDED IN RAPBACKS

IF A SHARED ELIGIBILITY DETERMINATION IS AVAILABLE YOU WILL BE PROVIDED WITH THE ELIGIBILITY LETTER AT THIS TIME (RATHER THAN BEING PROMPTED TO SCHEDULE A FINGERPRINTING APPOINTMENT)

MAKE YOUR FINAL HIRING DECISION



HOW DO I OBTAIN A SHARED ELIGIBILITY DETERMINATION FROM A STAFFING AGENCY/CONTRACTOR?

LOG IN TO YOUR BACKGROUND CHECK ACCOUNT

CLICK ON [New Application](#) TO BEGIN THE BACKGROUND CHECK PROCESS

CLICK ON [Switch to Contracted Staff](#)

ENTER THE APPLICANT'S CONFIRMATION ID AND DATE OF BIRTH (OBTAIN FROM STAFFING AGENCY/CONTRACTOR)

COMPLETE REGISTRY CHECKS AND MAKE YOUR PRELIMINARY HIRING DECISION

YOU WILL BE PROVIDED WITH THE ELIGIBILITY DETERMINATION LETTER CONTAINING YOUR FACILITY/AGENCY NAME AT THIS TIME

MAKE YOUR FINAL HIRING DECISION

THIS PROCESS ONLY WORKS WHEN OBTAINING RESULTS FROM A STAFFING AGENCY/CONTRACTOR AND WILL NOT WORK TO OBTAIN RESULTS FROM ANOTHER COVERED PROVIDER



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Start New Application

[Switch to Contracted Staff](#)

Facility

Consent I have obtained the written consent, disclosure and notice of right to appeal form signed by the applicant. (consent form - PDF [PDF](#))

SSN

Date of Birth

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Start Contracted Staff Application

[Switch to Employee](#)

This process allows you to register contracted staff and independent contractors who have been fingerprinted by his or her employing agency. The contracted staff will provide a confirmation ID to allow you to access the employability result and conduct registry checks. You do not have to request a new fingerprint-based check, but you will receive information through the RAPback about subsequent exclusionary convictions for this individual.

Facility

Confirmation ID

Date of Birth



CUSTOMER DRIVEN. BUSINESS MINDED.

OTHER USER INFORMATION AND RESPONSIBILITIES

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ID	First Name	Last Name	Facility Name	Created Date	Stage	Action
[redacted]	George	Smith	<u>UTE</u>	02/20/2019	Fingerprints Pending	Continue



ACCOUNT SETTINGS

EACH COVERED FACILITY/AGENCY HAS IT'S OWN BACKGROUND CHECK ACCOUNT THAT REMAINS THE SAME REGARDLESS OF CHANGE OF NAME OR CHANGE OF OWNERSHIP

EACH BACKGROUND CHECK ACCOUNT HAS A PRIMARY ADMINISTRATOR. THE PRIMARY ADMINISTRATOR IS RESPONSIBLE FOR ACCOUNT SECURITY! THE PRIMARY ADMINISTRATOR ACCOUNT SHOULD ALWAYS BE IN USE!

THE NAME AND EMAIL ADDRESS ON THE PRIMARY ADMINISTRATOR ACCOUNT DETERMINE WHO WE SEND OUR CORRESPONDENCE TO AND SHOULD DENOTE THE PERSON RESPONSIBLE FOR THE BACKGROUND CHECKS

IF THE PRIMARY ADMINISTRATOR ACCOUNT LOG IN INFORMATION IS UNKNOWN, ACCESS TO THE ACCOUNT MUST BE REQUESTED IN WRITING BY THE FACILITY ADMINISTRATOR ON COMPANY LETTERHEAD FAX REQUESTS TO 517-241-0093

NAME, USERNAME, PASSWORD, EMAIL ADDRESS, ETC. CAN BE UPDATED BY CLICKING ON "ACCOUNT SETTINGS"



MANAGE USERS

ALLOWS THE PRIMARY ADMINISTRATOR TO CREATE/DISABLE SUB-USER ACCOUNTS AND VERIFY STAFFING/CONTRACTOR AGENCIES

SUB-USER ACCOUNTS SHOULD BE DISABLED IMMEDIATELY IF THE SUB-USER TERMINATES EMPLOYMENT OR NO LONGER REQUIRES ACCESS TO THE SYSTEM!

WHEN A SUB-USER ACCOUNT IS DISABLED THE PRIMARY ADMINISTRATOR EMAIL ADDRESS BECOMES THE DEFAULT FOR EMPLOYABILITY DETERMINATIONS, RAPBACKS, REDETERMINATIONS

STAFFING/CONTRACTOR AGENCIES MUST BE VERIFIED BY A LICENSED PROVIDER TO CREATE A BACKGROUND CHECK ACCOUNT

Directions located under Information on miltcpartnership.org homepage

STAFFING AGENCIES/CONTRACTORS ONLY SHOULD REGISTER USING THE STAFFING AND CONTRACTOR AGENCY REGISTRATION FUNCTION



MISCELLANEOUS

ALWAYS VERIFY CORRECT SSN AND DOB

BE CERTAIN THAT APPLICANT INFORMATION IN SYSTEM MATCHES THE INFORMATION ON THE PICTURE ID THAT THE APPLICANT WILL BE TAKING TO THE FINGERPRINTING APPOINTMENT

A VALID GOVERNMENT ISSUED PICTURE IDENTIFICATION IS REQUIRED TO GET FINGERPRINTED (DRIVER'S LICENSE, STATE ID, MILITARY ID, PASSPORT)

FOR APPLICANTS WITH FOREIGN ADDRESSES, USE THE ADDRESS OF YOUR FACILITY/AGENCY



REGISTRY CHECKS

- OFFICE OF INSPECTOR GENERAL – EXCLUSIONARY
- SANCTIONED PROVIDER LIST – EXCLUSIONARY
- NURSE AIDE ABUSE REGISTRY – EXCLUSIONARY
- PUBLIC SEX OFFENDER REGISTRY – EXCLUSIONARY
- OFFENDER TRACKING INFORMATION SYSTEM – MAY OR MAY NOT EXCLUDE DEPENDING UPON OFFENSE OF CONVICTION AND LENGTH OF TIME SINCE DISCHARGE

SEE SECTION (1) OF BACKGROUND CHECK LAWS

CONDITIONAL HIRE

APPLICANTS MAY BE CONDITIONALLY HIRED PRIOR TO RECEIPT OF THE BACKGROUND CHECK RESULT IF:

NO DIRECT ACCESS/DIRECT SERVICES WITHOUT SUPERVISION BY A PERSON WHO HAS PASSED THIS BACKGROUND CHECK

IF NO SUPERVISION:

ICHA SEARCH WITH NO EXCLUSIONS
12 MONTHS MICHIGAN RESIDENCY
FINGERPRINTED WITHIN 10 BUSINESS DAYS OF START DATE



REDETERMINATIONS

DISQUALIFIED APPLICANTS MAY REQUEST A REDETERMINATION OF THEIR EMPLOYMENT ELIGIBILITY BASED UPON:

INACCURACY IN CRIMINAL HISTORY RECORD
CONVICTION BEING EXPUNGED/SET ASIDE/REMOVED FROM RECORD

REDETERMINATION REQUEST FORM MAILED TO APPLICANT WITH EXCLUSION LETTER

ALSO AVAILABLE ON miltcpartnership.org HOMEPAGE UNDER INFORMATION

COURT DOCUMENTATION MUST ACCOMPANY THE REQUEST FORM

APPLICANT DETERMINES WHETHER RESPONSE IS SENT TO EMPLOYER



REDETERMINATION RESPONSE

NOTIFICATION SENT VIA WEB APPLICATION AND REGULAR MAIL TO APPLICANT AND EMPLOYER (IF REQUESTED BY APPLICANT)

THREE OPTIONS:

DENIED – NOT ELIGIBLE TO WORK

GRANTED – ELIGIBLE TO WORK

MAY IMMEDIATELY RETURN TO WORK

DOES NOT REQUIRE NEW BACKGROUND CHECK

MAKE NEW FINAL HIRING DECISION IN SYSTEM

GRANTED – NEW BACKGROUND CHECK REQUIRED

NO LONGER DISQUALIFIED

NEW BACKGROUND CHECK REQUIRED TO DETERMINE

CURRENT EMPLOYMENT ELIGIBILITY



DO THESE ON AN ONGOING BASIS

CHECK YOUR SYSTEM MESSAGES

MAKE SURE YOUR PRIMARY ADMINISTRATOR ACCOUNT IS IN USE

MAKE YOUR FINAL HIRING DECISION UPON RECEIPT OF THE ELIGIBILITY DETERMINATION



RESIGN EMPLOYEES UPON TERMINATION OF EMPLOYMENT

TURNS OFF RAPBACKS
ENSURES NO FURTHER NOTIFICATIONS RECEIVED

C141XJLY	Test	Test	03/12/1980	<u>UTE</u>	Hired	Continue
C141ZQPY	Test	Johnson	01/01/1980	<u>UTFFL</u>	Withdrawn	Continue

Update Hiring Decision

The employee does not work at this facility any more.

Update Hiring Decision

CLICK ON CONFIRMATION ID OR ON 'CONTINUE.' AT THE BOTTOM OF THE APPLICANT PROFILE CLICK TO SHOW THAT THE EMPLOYEE IS NO LONGER EMPLOYED, THEN UPDATE HIRING DECISION.

PLEASE RESIGN EMPLOYEES WHO ARE NO LONGER WORKING!



CONTACT US

877-718-5542 – AFC AND HFA PROVIDERS/APPLICANTS
877-718-5547, OPTION 3 – ALL OTHER COVERED
PROVIDERS AND STAFFING AGENCIES/APPLICANTS

CLICK ON ‘CONTACT US’ ON THE
miltcpartnership.org HOMEPAGE TO SUBMIT AN
ONLINE SUPPORT CASE

WHEN LOGGED IN, CLICK ON ‘REQUEST SUPPORT’ TO
SUBMIT AN ONLINE SUPPORT CASE