



Overview

This policy describes procedures for background check authorizations conducted by the Department of Social and Health Services (DSHS) for the Aging and Long-Term Care Support Administration (ALTSA) for Residential Care Services (RCS).

- [Chapter 74.39A RCW](#) requires all long-term care workers shall be screened through state and federal background checks in a uniform and timely manner to verify that they do not have a criminal history that would disqualify them from working with vulnerable persons.
- [RCW 43.43.830-845](#) requires DSHS to conduct background checks on persons who may have unsupervised access to children or vulnerable adults.
- [RCW 74.15.030](#) requires DSHS must only use national and state background check information solely for the purpose of determining eligibility for a license and for determining the character, suitability, and competence of persons or agencies.
- [RCW 74.39A.056](#) requires all long-term care workers shall be screened through state and federal background checks in a uniform and timely manner to verify that they do not have a criminal history that would disqualify them from working with vulnerable persons.

This policy applies to RCS regulated facilities or programs that employ, directly or by contract, any agency or person that may involve unsupervised access to adults and minors who are receiving services in accordance with the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC).

- A. [Chapter 18.20 RCW Assisted Living Facilities \(ALF\)](#)
- B. [Chapter 18.51 RCW Nursing Homes \(NH\)](#)
- C. [RCW 43.43.830-845 Background checks-Access to Children & Vulnerable Adults](#)
- D. [Chapter 70.97 RCW Enhanced Services Facilities \(ESF\)](#)
- E. [Chapter 70.128 RCW Adult Family Homes \(AFH\)](#)
- F. [RCW 74.39A.056 Criminal History Checks on Long-term Care Workers](#)
- G. [Chapter 388-76 WAC Adult Family Homes \(AFH\)](#)
- H. [Chapter 388-78A WAC Assisted Living Facilities \(ALF\)](#)
- I. [Chapter 388-97 WAC Nursing Homes \(NH\)](#)
- J. [Chapter 388-107 WAC Enhanced Services Facilities \(ESF\)](#)
- K. [Chapter 388-113 WAC Disqualifying Crimes and Pending Charges](#)

These procedures are in addition to [DSHS Administrative Policies](#), as they are specific to RCS. These procedures will be reviewed for compliance and accuracy at least every five years.

Contacts

- [BCCU General Contact](#)
- [RCS Policy Unit General Contact](#) (**internal** RCS use)
- RCSPolicy@dshs.wa.gov (**external** RCS use)
- [RCS Quality Improvement Unit General Contact](#)



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Part I: Background Check Process Guidelines

This section contains the Standard Operating Procedures (SOPs) that licensed entities are required to conduct in accordance with program WACs. These steps will help regulators to understand the processes for two types of background checks: Washington State Patrol (WSP) and Federal Bureau of Investigations (FBI).

For the purposes of this chapter:

- **‘Entity’** in this document will refer to Adult Family Homes (AFH), Assisted Living Facilities (ALF), Certified Community Residential Services and Supports (CCRSS), Enhanced Services Facilities (ESF), Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID), and Nursing Homes (NH).
- **‘Applicant’** will refer to both applicants and employees.
- **‘Resident’** will refer to both residents (all settings except CCRSS and ICF/IID) and clients (CCRSS and ICF/IID settings).
- **‘Regulator’** will refer to all RCS staff, including contractors, who complete complaint investigations, licensing inspections, surveys, and certification evaluations.

A. Applicant Required to Obtain a Background Check

Purpose

Background checks are required for employees, volunteers, and contracted staff of licensed or certified entities. Always review program WACs for prescribed regulations.

Procedure

1. Background checks must be renewed at least every two years or as required by program rule or contract.
2. Beginning January 7, 2012, all new long-term care (LTC) workers, must have fingerprint-based background checks.
3. Individuals who may have unsupervised access to vulnerable adults or minors must complete a DSHS background check.
4. Individuals who may have unsupervised access to vulnerable adults and minors in licensed or certified RCS regulated entities must pass a background check, using either the [Background Check Authorization Form \(DSHS 09-653\)](#) (BAF) or by completing the form [online](#).
5. Individuals may not work in a capacity that involves unsupervised access to residents until non-disqualifying background check results are received from the department.
6. Background checks must be renewed according to program rules. If the background check is expired, the individual may not have unsupervised access to residents in RCS facilities.
7. All individuals who have resided less than three continuous years in Washington State must have fingerprint-based background checks, since a Washington name and date of birth check (WNDOB) will not be available. Individuals who reside out of state but work in Washington State, must have fingerprint-based background checks, since a WNDOB check will not be available.



B. Washington State Name and Date of Birth (WNDOB) Check

Purpose

The initial background check completed by authorized entity representatives is run through the Washington State Patrol (WSP) for the Name and Date of Birth results.

Procedure

1. Applicant must complete their background check authorization form using the [online form](#) or provide a signed paper copy of the [Background Check Authorization Form \(DSHS 09-653\)](#).
2. Requestor must verify that the applicant has completed the form correctly and confirm that there is no information missing.
3. Requestors must check the applicant's photo identification (e.g., driver's license, government identification card [ID], tribal ID, or passport) to verify the applicant's identity and that the name, date of birth, and signature match the information provided on the [Background Check Authorization Form \(DSHS 09-653\)](#).
4. If the applicant completed their background check authorization form using the online form, the applicant needs to provide you with their confirmation code and their date of birth. Enter the online form confirmation code and applicant date of birth into the background check system to submit to the Background Check Central Unit (BCCU).
5. If the applicant provided a signed paper copy of the background check authorization form, enter the information from the form into the background check system and submit it to BCCU.
6. Nursing Home regulations permit background checks to be run through a law enforcement agency at cost to the Nursing Home. The results from these background checks do not include the negative actions information prescribed in [WAC 388-97-1820](#). It is the responsibility of the entity to verify this information and document it in the applicant personnel file.



C. Fingerprint-Based Check Procedures

Purpose

The second background check completed by authorized entity representatives is run through the Federal Bureau of Investigation (FBI) for the fingerprint-based results. You do not need to submit a name and date of birth request and then a fingerprint request. You will have the opportunity to decide if you want to continue the fingerprint-based background check after the interim result or WA State Name and Date of Birth is available to review in the background check system (BCS).

Procedure

1. Applicant must complete their background check authorization form using the [online form](#) or provide a signed paper copy of the [Background Check Authorization Form \(DSHS 09-653\)](#).
2. If the applicant completed their background check authorization form using the online form, the applicant needs to provide you with their confirmation code and their date of birth. Enter the online form confirmation code and applicant date of birth into the background check system to submit to BCCU.
3. If the applicant provided a signed paper copy of the background check authorization form, enter the information from the form into the background check system and submit it to BCCU.
4. When an interim result notification is available for review in BCS, the status for the inquiry will change to 'Interim FP Finished'. Once you make the decision to continue with the fingerprint check, BCS will generate the Appointment Form Packet. This contains the information needed to schedule a fingerprint appointment.
5. Either the Requestor or the applicant schedules the electronic fingerprinting appointment at the nearest electronic fingerprinting location:
 - a. [Idemia Website](#); or
 - b. Call 1-888-771-5097 (Monday –Friday 8:00-5:00)
6. The employee will receive a receipt from the vendor as proof of completion of the fingerprint appointment to affirm the FBI results are pending.
7. The electronic fingerprinting company provides the applicant with an appointment confirmation receipt and sends electronic prints to the Washington State Patrol for completion of the federal check. The requestor must retain a copy of this receipt from the applicant.
8. Nursing Home applicants are not required to conduct fingerprint-based checks.



D. Conditional/Provisional Hires

Purpose

The applicant has limitations on whether they can work supervised or unsupervised based on the status of their background checks.

Procedure

1. Providers may conditionally hire an applicant provided they are supervised while having access to residents and meet the additional program regulations for conditional hire.
2. Providers may provisionally employ an applicant with unsupervised access to residents, from the date of hire up to 120 days, as allowed under the law when:
 - a. The applicant is not disqualified based on the WNDOB check; and
 - b. The results of the national fingerprint check are pending.
3. Providers making a provisional hire must ensure electronic prints have been submitted prior to the provisional hire by retaining a copy of the fingerprint receipt from the applicant.
4. There are no exceptions to extend the 120-day timeframe.



E. Notification Letters

Purpose

The BCCU will send a notification letter to the entity that provides the status of a background check. The letter could lead to further action by the entity or applicant within the context of the notification letter.

Procedure

1. BCCU will send one of the following notification letters in response to the background check:
 - a. **“No Record”** This letter indicates that no disqualifying crimes or negative actions were found during the background check. However, the requestor remains responsible to determine the applicant’s/employee’s suitability for employment; or
 - b. **“Review Required”** This letter indicates that the background check found the applicant has a record of criminal conviction(s) or other negative actions that do not automatically disqualify the individual. However, the requestor must review the [character, competence, and suitability \(CCS\)](#) of the applicant to determine whether or not it would be appropriate to hire the applicant; or
 - c. **“Disqualify”** This letter indicates that the applicant has a record of criminal conviction(s) or other negative actions that may disqualify the applicant from employment. The requestor must compare the specific conviction(s) or negative actions with the applicable list of disqualifying crimes and negative actions in [Chapter 388-113 WAC](#) and ensure that applicants/employees with disqualifying records are not hired. If an existing employee receives this letter the requestor must ensure that they are immediately removed from having unsupervised access to minors and vulnerable adults. For applicants hired prior to July 24, 2014, refer to [WAC 388-113-0025](#) for certain exceptions that may apply.
 - d. **“Additional Information Required”** This letter indicates that more information is needed in order for the background check to be completed. For example, if the Record of Arrests and Prosecutions (RAP) sheet lists the crime of theft but does not include the degree of the theft, the BCCU is unable to determine if the crime is disqualifying or not. Therefore, the applicant must provide the BCCU with a copy of the Final Legal Court from the court of conviction, along with the BCCU affidavit form, to complete the background check.
2. The entity must have in the employee personnel file a copy of the WND0B, and the fingerprint check.
3. Requestor’s must maintain a copy of the notification letters and their attachment(s) according to retention requirements.
4. Fingerprint results for non-governmental agencies do not include FBI RAP sheets. The applicant must obtain these from the BCCU and share them with the requestor since FBI documents cannot be provided to the requestor by the BCCU.
5. The notification letter provided by the BCCU for a fingerprint result is sharable. The FBI RAP sheet is not sharable per federal laws. The applicant is responsible for obtaining the results from the BCCU and providing them to their employer.



F. Disqualifications

Purpose

Disqualifications can be related to a crime, pending charge, or negative action.

Procedure

1. DSHS must automatically disqualify an applicant if their background check reveals criminal convictions and/or pending charges, on the list of disqualifying crimes in [WAC 388-113-0020](#) or negative actions listed in program WACs.
2. An applicant can be disqualified based on their responses on the [Background Check Authorization Form \(DSHS 09-653\)](#). Responses of 'yes' to numbers 12, 13, and 14 are automatically disqualifying. If the applicant disagrees with the disqualification they must submit an [Applicant Affidavit Form \(DSHS 27-109\)](#) to the BCCU explaining their responses to either of these questions that were marked 'yes'. Until a new letter is issued by the BCCU, the applicant cannot work unsupervised.
3. RCS applicants with disqualifying background check results must not have any unsupervised access to residents in the course of their employment duties.
4. There are a few exemptions permitted under [WAC 388-113-0040](#) for criminal convictions. The applicant must meet all the prescribed requirements to be eligible for an exemption approved by the employer.
5. There are no exemptions for negative actions except a finding by the Department of Children, Youth, and Families (DCYF) that has been accompanied by a Certificate of Parental Improvement (CPI). A negative action that has been issued a CPI is subject to a CCS determination.
6. A CCS determination cannot be used for any disqualifying crime, pending charge, or negative action.



G. Character, Competency, Suitability (CCS) Determination

Purpose

A determination of character, competence, and suitability review may be required as directed by the notification letter. This may be required after the WSP check and/or the FBI check depending on the results from either check.

Procedure

1. When the notification letter indicates that an applicant's CCS must be reviewed, the following information must be considered:
 - a. The amount of time that has passed since the conviction or negative action;
 - b. The seriousness of the crime that led to the conviction or finding;
 - c. The number and types of other convictions in the applicant's background;
 - d. Age when convicted of the crime or when they committed the act that resulted in a negative action(s);
 - e. Documentation indicating successful completion of all court-ordered programs and restitution;
 - f. Review of FBI RAP sheets (if applicable)
 - g. Behaviors since the convictions, charges, negative actions, or other adverse behaviors; and
 - h. The vulnerability of those that would be under the applicant's care.
 - i. Whether the applicant self-disclosed the crime(s), pending charge(s), and/or negative action(s).
2. The CCS review must also be conducted when an applicant has convictions, pending charges and negative actions that are not automatically disqualifying.
3. Requesters must report to BCCU any new convictions, pending charges, and negative actions discovered during the CCS review.
4. The CCS review must be documented and maintained in the employee's file according to retention requirements. CCS reviews for renewal background checks can only be used again if there is no new or different information. In these cases, the reviewer should re-sign and date the CCS form, as well as indicate that there have been no changes. If there is new or different information, a new CCS review must be conducted.
5. When the applicant is the owner or designee of an entity:
 - a. The regulators are required to review the background checks for the entity's owner(s) or designee.

Note: There are no changes to the background check review process for others who may have unsupervised access to residents.

- b. When a non-disqualifying crime, pending charges or negative actions are found that have occurred since the last licensing inspection or initial licensing, a CCS review must be completed.

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- c. When a surveyor is reviewing background checks and discovers an owner or designee has a non-disqualifying crime, pending charges, or negative actions on their background check since the entity was licensed or since the last full inspection, they are to complete the following steps:
 - 1) Determine if the crime is non-disqualifying.
 - 2) If a CCS has been done, review it to ensure it addresses the crime and does not pose concerns.
- Example: The owner or designee has a pending charge for driving while under the influence and reports they provide transportation to residents.
- 3) If a CCS review has not been done, the owner or designee must have one completed, and it must be reviewed by the regulator. You may give them the [Character, Competency, and Suitability \(CCS\) \(DSHS 15-456\)](#) form to complete the review or they can provide documentation as required by their program WAC.
 - 4) The owner or designee will keep the CCS with their records for future inspections.
 - d. When a regulator is reviewing background checks and discovers an owner or designee has a disqualifying crime, pending charges, or negative actions on their background check since the entity was licensed, they are to complete the following steps:
 - 1) Notify the Field Manager (FM) for further direction.
 - 2) The FM will:
 - a) consult with the Compliance Specialist (CS) and the Attorney General's Office (ATG) to determine enforcement action; and
 - b) Inform the regulator of any enforcement action decisions.



H. Applicant Self-Disclosure

Purpose

Both the [online](#) and paper [Background Check Authorization Form \(DSHS 09-653\)](#) requires the applicant to disclose their criminal background, licensing, and abuse/neglect information under penalty of perjury.

Procedure

1. If an applicant self-discloses a disqualifying crime, the employment process may end before verifying the disclosure.
2. If the applicant needs to clarify information provided on the disclosure form, they can submit an [Applicant Affidavit Form \(DSHS 27-109\)](#) to the BCCU explaining their responses with supporting documentation, such as a court order or Stipulated Agreement.



I. Correcting Background Checks

Purpose

If an applicant disagrees with the results of their background check, the notification letter provides directions on how to remedy the error. All findings or negative actions must be addressed directly with the reporting source, like DOH or CPS. If a program is reporting a finding for you, the program's contact information will be on your background check results. If you are still unsure why you are disqualified, you may contact BCCU.

Procedure

1. If an applicant reports that the conviction record is incorrect, direct the applicant to contact the WSP to get the conviction record corrected.
2. If an applicant reports that the negative actions on their background check are incorrect, direct the applicant to contact the agency that submitted the negative action.
3. If the applicant disagrees with the BCCU result to 'Disqualify' based on a negative action, the applicant must submit an [Applicant Affidavit Form \(DSHS 27-109\)](#) to the BCCU that states the disagreement with the BCCU decisions, and the circumstances related to the negative action. The applicant remains disqualified until BCCU issues an amended notification letter.
4. The requestor must report to BCCU when the information returned by BCCU does not match the applicant's identifying information provided to BCCU.



J. BCCU Account Information

Purpose

A BCCU account number authorizes an entity to run background checks through DSHS as authorized by program regulations.

Procedure

1. The BCCU account number provides authorization for a licensed entity to submit background checks for the specifically identified licensed entity location and designated authorized representative.
2. The BCCU account number is neither transferable nor permitted to be utilized by an unauthorized entity.
3. If changes are needed to an existing BCCU account:
 - a. For BCS account updates, please contact the [Business Applications and Analysis Unit \(BAAU\)](#).
 - b. Each account must have a Primary Account Administrator (PAA). The PAA is responsible for adding other users to the entity account in BCS. The [DSHS BCS Access Request form](#) is used by external users to request a new Primary Account Administrator, remove PAA access, or update a PAA's email address in BCS. Internal Primary Account Administrators can add additional users in BCS.



K. Access to Information

Purpose

The Washington State Patrol (WSP) and the Federal Bureau of Investigation (FBI) contract with DSHS to allow access to background check results. These agencies have limitations on how, to whom, and when results can be shared.

Procedure

1. Background Check turnaround times may vary due to numerous reasons. Refer to [BCCU Turnaround Times](#) for the most current and accurate information.
2. Only designated and trained staff responsible for the submitting and receiving background checks results are permitted to have access to the background information records. Information must be kept in a secure location.
3. Applicants have the right to expect all background check information will be kept confidential.
4. The FBI does not permit the sharing of an FBI RAP sheet with anyone other than the applicant. Therefore, when BCCU runs a fingerprint check that leads to an FBI RAP sheet, the entity will receive a notification letter, but the employee is then required to request the FBI Rap sheet.



Part II: Appendices

A. Resources and Forms

1. [ALTSA Background Checks](#)
2. [BCCU Website](#)
3. [BCCU Turnaround Times](#)
4. [BCCU Frequently Asked Questions \(FAQs\)](#)
5. [Character, Competency, and Suitability \(CCS\) Determination \(DSHS 15-456\)](#)



B. Glossary of Terms

Abandonment – as defined in [RCW 74.34.020](#).

Abuse – as defined in [RCW 74.34.020](#).

Administrative hearing – means a formal hearing proceeding before a state administrative law judge that gives:

- 1) A licensee an opportunity to be heard in disputes about licensing actions, including the imposition of remedies, taken by the department; or
- 2) An individual an opportunity to appeal a finding of abandonment, abuse, neglect, financial exploitation of a resident, or misappropriation of a resident's funds.

Administrator – Includes the various titles of the responsible person(s) for the entity. This list includes but is not limited to superintendent, director, provider, program manager, individual or entity representative, resident manager, administrator, or executive director. Please refer to the WAC relevant to the setting type for more information.

Adult Family Home (AFH) – State licensed residential homes to care for two to eight vulnerable adults who may have mental health, dementia, and/or developmental disability/special needs. The homes are private businesses providing each person with a room, meals, laundry, supervision, assistance with activities of daily living, and personal care. Some provide nursing or other special care and services.

Agency – State agency.

Applicant/employee – An individual who has signed the DSHS background check authorization form under penalty of perjury. The individual is also considered the subject of the background check.

Assisted Living Facility (ALF) – State licensed facilities providing basic services assuming general responsibility for the safety and well-being of vulnerable adults. ALFs allow the vulnerable adults to live an independent lifestyle in a community setting while receiving necessary services from a qualified workforce. ALFs can vary in size and ownership from a family-operated 7-bed facility to a corporation-based facility with 150+ beds. ALFs may provide intermittent nursing services or serve vulnerable adults with mental health needs, developmental disabilities, or dementia.

Background check – means a name and date of birth check or a fingerprint-based background check, or both. [WAC 388-113-0010](#).

Background Check Central Unit (BCCU) – means a division within the department that processes background checks for department authorized service providers and department programs who serve vulnerable individuals across Washington State. [WAC 388-113-0010](#).

Basic necessities of life – This means food, water, shelter, clothing, and medically necessary health care, including but not limited to health-related treatment or activities, hygiene, oxygen, and medication. [WAC 388-103-0001\(5\)](#).

Certification – The process used by the department to determine if an applicant or service provider complies with federal health, safety, and program standards and is eligible to provide certified community residential services and support to clients.

Certified Community Residential Services and Supports (CCRSS) – Includes Supported Living (SL), Group Homes (GH), and Group Training Homes (GTH). These are residential services provided to individuals who are eligible clients of the Developmental Disabilities Administration (DDA).

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Supported living clients are vulnerable adults living in their own homes in the community. The client or legal representative owns, rents, or leases the home.

Certified Group Home – A community-based licensed and certified residential program where the provider, who contracts with the Department of Social & Health Services (DSHS), DDA to provide residential services, owns, or leases the facility. The majority are privately owned businesses. The homes vary in size, serving from 4 to 10 clients.

Residential Care Services (RCS) licenses the home as either an Assisted Living Facility or an Adult Family Home and certifies the group home through a separate process. This supports the provision of services at the levels required by the DDA contract.

Room and board expenses are included in the rate paid by DDA and the clients participate toward their cost of care. DDA contracts with these providers to provide 24-hour supervision.

Certified supported living services – Residential services provided to DDA clients living in their own homes in the community. DDA contracts with individuals and agencies to provide these services. Clients pay for their own rent, food, and other personal expenses. Supported living offers instruction and support, which may vary from a few hours per month to 24 hours of one-on-one support per day. DDA pays for residential services provided to clients under Department contract at the contracted rate.

Character, competence, and suitability (CCS) – the screening and assessment of the potential personal and professional capability of an employee or applicant to work with or serve minor or vulnerable adults based on a review of crimes and negative actions. CCS requirements must meet those in [WAC 388-113-0060](#).

Chemical restraint – as defined in [RCW 74.34.020](#).

Civil adjudication proceeding – a judicial or administrative adjudicative proceeding that results in a finding of, or upholds an agency finding of, domestic violence, abuse, sexual abuse, neglect, abandonment, violation of a professional licensing standard regarding a child or vulnerable adult, or exploitation or financial exploitation of a child or vulnerable adult under any provision of law, including but not limited to, chapters [13.34](#), [26.44](#), or [74.34](#) RCW, or rules adopted under chapters [18.51](#) and [74.42](#) RCW.

Code of Federal Regulation (CFR) – The Departments and Agencies of the Federal Government providing codification of the general and permanent rules published in the Federal Register.

Confidential information – A type of information that is protected by state or federal laws, including information about vulnerable adults, DSHS clients, employees, vendors or contractors, and agency systems unavailable to the public without legal authority.

Contractor – an agency or person who contracts with a licensee under DSHS to provide resident care, services, or equipment.

Department – This term refers to the Washington state Department of Social and Health Services (DSHS).

Disciplinary board final decision – A finding issued by the Department of Health (DOH) for violation of the Uniform Disciplinary Act. The Act governs health care providers and individuals licensed, certified, or registered by DOH ([Chapter 18.130 RCW](#)).

Duty of care – This includes:

- 1) A guardian or conservator appointed under [Chapter 11.130 RCW](#);
-

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- 2) An agent granted authority under a power of attorney as described under [Chapter 11.125 RCW](#); or
- 3) A person providing the basic necessities of life to a vulnerable adult where:
 - a) The person is employed by or on behalf of the vulnerable adult; or
 - b) The person voluntarily agrees to provide, or has been providing, the basic necessities of life to the vulnerable adult on a continuing basis.

Enhanced Services Facilities (ESF) – means a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary. [RCW 70.97.010](#).

Entity – A standard term used throughout this document to depict the long-term care program homes, facilities, and licensees participating in transforming lives of the vulnerable adults living in residential settings.

Facility – as defined in [RCW 74.34.020](#).

Financial exploitation – as defined in [RCW 74.34.020](#).

Fingerprint check – means a fingerprint check is considered a positive identification check. The fingerprints of an applicant are reviewed to match fingerprints taken at the time of an arrest or conviction of a crime.

Group Training Homes (GTH) – A facility which provides 24-hour supervision, full-time care, treatment, and training for two or more adults with developmental disabilities. Operated on a non-profit basis by a person, association, or corporation. Room and board expenses are included in the rate paid by DDA and the clients participate toward their cost of care. Also known as, “Epton Act Homes”, the Group Training Home model was created by legislation drafted in the early 1970’s.

Home – A generic term used to describe an adult family home in the State of Washington.

Household member – means a person who uses the address of the adult family home as their primary address and who is not a resident.

Improper use of restraint – as defined in [RCW 74.34.020](#).

Individual provider – means a person under contract with the department to provide services in the home under [Chapter 74.39A RCW](#).

Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) – The Social Security Act created this optional Medicaid benefit to fund “institutions” (four or more beds) for individuals with intellectual disabilities. The Secretary defines this as providing “active treatment.”

Licensee – A generic term to describe individuals or entities licensed or certified to provide services as an adult family home, assisted living facility, enhanced services facility, and/or nursing home care in the state of Washington.

Long-term care facility – As defined in [RCW 70.129.010\(3\)](#).

Long-term care workers – includes all persons providing paid, personal care services for the elderly or persons with disabilities, including individual providers of home care services, direct care workers employed by home care agencies, providers of home care services to persons with developmental disabilities under [Title 71A RCW](#), all direct care workers in state-licensed assisted living facilities, adult family homes, respite care providers, community residential service providers, and any other direct care staff providing home or community-based services to the elderly or persons with functional disabilities or developmental disabilities.

Mandated reporter –this is an employee of the Department or the Department of Children, Youth and Families (DCYF); law enforcement officer; social worker; professional school personnel;

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individual provider; an operator of a facility or a certified residential services and supports agency under [Chapter 71A.12 RCW](#); an employee of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, hospice or certified residential services and supports agency; county coroner or medical examiner; Christian Science practitioner; or health care provider subject to [Chapter 18.130 RCW](#).

Mechanical restraint – as defined in [RCW 74.34.020](#).

Medicaid Fraud Control Division (MFCD) – means the statewide division that is responsible for both criminal and civil investigations and prosecution of healthcare provider fraud committed against the State’s Medicaid program. The division also investigates and prosecutes complaints of resident abuse or neglect in healthcare facilities and residential settings.

Mental abuse – as defined in [RCW 74.34.020](#).

Negative action – means any action taken against the applicant, including but not limited to, the following:

- A decision issued after a due process civil adjudicative proceeding by a state agency or an Administrative Law Judge showing a finding of abandonment, abuse, neglect, exploitation, or financial exploitation of a child, juvenile, or vulnerable adult;
- Termination, revocation, suspension, or denial of a professional license, certification, and/or state or federal contract;
- Relinquishment of a license, certification, or contract in lieu of negative action;
- Revocation, suspension, denial, or restriction placed on a professional license; and
- Disciplinary board final decisions.

Neglect – as defined in [RCW 74.34.020](#).

Nursing facility (NF) – a nursing home, or any portion of a hospital, veterans' home, or residential habilitation center, that is certified to provide nursing services to Medicaid recipients under [section 1919\(a\) of the federal Social Security Act](#). All beds in a nursing facility are certified to provide Medicaid services, even though one or more of the beds are also certified to provide Medicare skilled nursing facility services.

Nursing home (NH) – A term that can include both 24-hour Skilled Nursing Facilities (SNF) and Nursing Facilities (NF). SNFs are those that participate in both Medicare and Medicaid. NFs are those that participate in Medicaid only.

OCA number – the Originating Case Agency number assigned by the BCCU to track individual background checks.

ORI number – this refers to the number assigned by the FBI and used to identify the origination information for a request for a fingerprint-based check.

Pending charge – refers to a criminal charge for a disqualifying crime that has been filed in a court of law for which the department has not received documentation showing the disposition of the charge. A pending charge in Washington will show on a RAP sheet for only twelve months after the charge was filed if the court has not made a decision.

Permissive reporter – means any person, including but not limited to, employee of a financial institution, attorney, or volunteer in a facility or program providing services for vulnerable adults.

Personal exploitation – as defined in [RCW 74.34.020](#).

Physical abuse – as defined in [RCW 74.34.020](#).

Physical restraint – as defined in [RCW 74.34.020](#).

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Practitioner – The term includes a licensed physician, osteopathic physician, podiatric physician, pharmacist, licensed practical nurse, registered nurse, advanced registered nurse practitioner, dentist, and physician assistant. Refer to [Chapter 69.41 RCW](#) for a complete listing of practitioners.

Provider – a) any individual or entity that provides services to DSHS clients, OR b) a person, group, or facility that provides services to DSHS clients. RCS providers include Adult Family Homes, Assisted Living Facilities, Certified Community Residential Services and Supports, Enhanced Services Facilities, Intermediate Care Facilities for Individuals with Intellectual Disabilities and Nursing Homes.

Regulatory staff/Regulator – RCS staff responsible for enforcing the rights, safety, and health regulations of individuals living in Washington’s licensed or certified residential settings.

Reporter [also referred to as Complainant] – means the individual making the report of alleged abuse, neglect, financial exploitation, or other non-compliance with regulatory requirements to the CRU. Reporter types are *Public, Facility, State Employees, Law Enforcement or Anonymous*.

- **Public** – are generally residents or clients, family of residents or clients, Long Term Care Ombudsman staff, facility staff when it is clear they are not making an official facility report or are reporting as whistle blowers, hospital staff, and teachers.
 - **Facility** – are generally facility or agency Administrators or other management staff making a report as the official “facility” or provider report, staff who leave the facility/agency phone number and give permission to call them back, staff who state they reported their call to the hotline to their management.
 - **State Employees** – are generally DSHS staff who are making a report in the natural course of their job duties.
-

Requestor – the requestor is the agency or person who submits the background authorization form to BCCU.

Requirement – Any structure, process, or outcome that is required by law or regulation.

Revised Code of Washington (RCW) – The compilation of all permanent laws now in force. It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted via the initiative process), arranged by topic, with amendments added and repealed laws removed. It does not include temporary laws such as appropriation acts.

Roll – printing or scanning the applicant's fingerprints on the Washington State Patrol (WSP)/Federal Bureau of Investigation (FBI) identification card.

Secure fax location – (as defined by the Washington State Patrol [WSP]) a location accessible only to designated employees responsible to handle and process authorization forms and information related to background checks.

Self-disclosure – refers to any crimes and/or negative action information provided directly by the applicant.

Self-neglect – as defined in [RCW 74.34.020](#).

Sexual abuse – as defined in [RCW 74.34.020](#).

Skilled nursing facility (SNF) – a nursing home, a portion of a nursing home, or a long-term care wing or unit of a hospital that has been certified to provide nursing services to Medicare recipients under [section 1819\(a\) of the federal Social Security Act](#).

State agency (SA) – A permanent or semi-permanent organization in government that is responsible for the oversight and administration of specific functions.

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Supported living – Certified service providers offer instructions and supports in client homes which may vary from a few hours per month to 24 hours of one-on-one support per day. Clients pay for their own rent, food, and other personal expenses. DDA pays for residential services provided to clients under the Department contract at the contracted rate. DDA may also contract with providers for crisis diversion and community protection services.

Supported living services – Residential services provided to clients living in their own homes in the community, which are owned, rented, or leased by the clients or their legal representatives.

Unsupervised access – means not in the presence of:

- Another employee or volunteer from the same business or organization; or
 - Any relative or guardian of any of the children or individuals with a developmental disability or vulnerable adults to which the employee, student or volunteer has access during the course of his or her employment or involvement with the business or organization ([RCW 43.43.830](#)).
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Volunteer – an individual who interacts with residents without reimbursement.

Vulnerable adult – as defined in [RCW 74.34.020](#).

Washington Administrative Code (WAC) – Regulations of executive branch agencies issued by authority of statutes. Similar to legislation and the Constitution, regulations are a source of primary law in Washington State. The WAC codifies the regulations arranging them by subject or agency.

Willful – as defined in [RCW 74.34.020](#) (related to abuse, neglect, or exploitation).

Working days (business days) – defined as Monday through Friday, excluding federal and state holidays.



C. Acronym List

| | |
|---------|---|
| AA | Administrative Assistant |
| AFH | Adult Family Home |
| ALF | Assisted Living Facility |
| ALTSA | Aging and Long-Term Support Administration |
| ATG | Attorney General |
| BAAU | Business Applications and Analysis Unit |
| BAF | Background Check Authorization Form |
| BC | Background Check |
| BCCU | Background Check Central Unit |
| BCS | Background Check System |
| BG | Background |
| BGI | Background Inquiry |
| CC | Carbon Copy (in emails) |
| CCRSS | Certified Community Residential Services and Supports |
| CCS | Character, Competency and Suitability |
| CFR | Code of Federal Regulations |
| CMS | Centers for Medicare and Medicaid Services |
| CPI | Certificate of Parental Improvement |
| CS | Compliance Specialist |
| DCYF | Department of Children, Youth, and Families (formerly Child Protective Services or CPS) |
| DOB | Date of Birth |
| DSHS | Department of Social and Health Services |
| eCFR | Electronic Code of Federal Regulation |
| ESF | Enhanced Services Facilities |
| FAQ | Frequently Asked Questions |
| FBI | Federal Bureau of Investigations |
| FM | Field Manager |
| FP | Fingerprint |
| ICF/IID | Intermediate Care Facilities for Individuals with Intellectual Disabilities |
| ID | Identification |
| LTC | Long-Term Care |
| NF | Nursing Facility |
| NH | Nursing Homes |
| PAA | Primary Account Administrator |
| RA | Regional Administrator |
| RAP | Records of Arrests and Prosecutions |
| RCS | Residential Care Services |
| RCW | Revised Code of Washington |
| SA | State Agency |
| SNF | Skilled Nursing Facility |

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| | |
|------|---|
| SOP | Standard Operating Procedures |
| WD | Working Day |
| WNOB | Washington State Name and Date of Birth |
| WSP | Washington State Patrol |

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D. Change Log

| Eff. Date | Chapter/ Section # | Description of the Change | Reason for Change | Communication and Training Plan |
|------------|-----------------------|---|---|------------------------------------|
| 01/17/2025 | Entire Chapter | <ul style="list-style-type: none">• Formatting updates | <ul style="list-style-type: none">• Comply with new DSHS branding | N/A |
| 12/14/2023 | Full Chapter | <ul style="list-style-type: none">• Chapter reformatted.• Information updated to capture processes within current IT systems | <ul style="list-style-type: none">• Provide for easier navigation.• Provide guidance and information for RCS staff | MB R23-103 |
| 06/2016 | Full Chapter | Conversion from OPP to SOP in chapter format | RCS transition to chapter format: all SOPs and staff manuals | MB R16-048 |

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