

STATE OF WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES Aging and Long-Term Support Administration PO Box 45600, Olympia, Washington 98504-5600

July 8, 2021 AMENDED July 16, 2021

ALTSA: AFH #2021-040 ALTSA: ALF #2021-039 ALTSA: CCRSS #2021-035 ALTSA: ESF #2021-035 ALTSA: ICF/IID #2021-036 ALTSA: NH #2021-055 CHANGES TO BACKGROUND CHECK DISQUALIFIERS

Dear Provider / Administrator / Superintendent:

THIS LETTER IS AMENDED TO CLARIFY THAT THESE CHANGES DO NOT GO INTO EFFECT UNTIL JULY 25, 2021 AND TO CHANGE "AND" TO "OR" ON THE BULLETED LIST RELATED TO 'REVIEW REQUIRED' LETTERS BELOW.

This letter is to inform you of changes in law related to background checks as they relate to the list of automatically disqualifying crimes in WAC 388-113-0020.

Substitute House Bill 1411 was passed during the 2021 legislative session. The purpose of the bill is to increase the Long-Term Care (LTC) workforce by decreasing employment barriers related to an applicant's criminal history. The bill added time limitations to six crimes in WAC 388-113-0020 that were previously permanently disqualifying, and removed LTC workers and other service providers from the exempted individuals under RCW 9.97.020 related to Certificate of Restoration of Opportunity (CROP).

The previously disqualifying crimes that now have time limitations are:

- Selling marijuana (3-years)
- Theft 1 (10-years)
- Robbery 2 (5-years)
- Extortion 2 (5-years)
- Assault 2 (5 years)
- Assault 3 (5-years)

Applicants who would have received a disqualifying result notification from the Background Check Central Unit (BCCU), will now receive a Review Required letter when:

- The required amount of time has passed;
- There is no other disqualifying conviction, pending charge, or negative action; OR
- The applicant has obtained a Certificate of Restoration of Opportunity from the courts.

If you have any questions, please contact Debbie Hoeman, Policy Program Manager, at (360) 725-3210 or <u>debra.hoeman@dshs.wa.gov</u>.

Sincerely, Nike Anbesse

Mike Anbesse, Director Residential Care Services

DSHS: "Transforming Lives"