



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

AL TSA: AFH #2021-040
AL TSA: ALF #2021-039
AL TSA: CCRSS #2021-035
AL TSA: ESF #2021-035
AL TSA: ICF/IID #2021-036
AL TSA: 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 debra.hoeman@dshs.wa.gov.

Sincerely,

Mike Anbesse, Director
Residential Care Services

DSHS: “Transforming Lives”