



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

June 9, 2016

ALTSA: NH #2016-016
CHARACTER, COMPETENCE AND SUITABILITY FOR OWNER OR DESIGNEE

Dear Nursing Facility/Home Administrator:

During a state audit, it was identified that the department does not have a process in place to determine the Character, Competence, and Suitability (CC&S) of an owner or designee when their background check shows they have a non-disqualifying crime, pending charges, or negative actions that occurred after the facility has been licensed. The concern is that a provider may have a crime or negative action that could potentially put residents at risk should a CC&S review not be completed.

From this point forward, if an owner or designee whose background check or fingerprint check shows a non-disqualifying crime, pending charges, or negative actions then s/he must either complete DSHS form 15-456 or complete a CC&S statement as outlined in the program WAC and make it available to the department upon request. Additionally, the CC&S should be kept with the owner or designee's file for future inspections. The form is available online at https://dshs.wa.gov/fsa/forms?field_number_value=15-456&title=&=Apply

When completing a CC&S the following things should be considered:

1. The amount of time that has passed since the conviction or negative action;
2. The seriousness of the crime that led to the conviction or finding;
3. The number and types of other convictions in the applicant's background;
4. Age when convicted of the crime or when s/he committed the act that resulted in a negative action(s);
5. Documentation indicating successful completion of all court-ordered programs and restitution;
6. Review of FBI RAP sheets (if applicable)
7. Behaviors since the convictions, charges, negative actions or other adverse behaviors; and
8. The vulnerability of those that would be under the applicant/employees care.
9. Whether s/he self-disclosed the crime(s), pending charge(s), and/or negative actions(s).

Lastly, please remember if the facility has a Medicaid contract, part of the requirement to maintain compliance with the contract is ensuring the owner or designee and all staff providing care and services to the residents maintain a valid background check. The name and date of birth background check expires after two years.

As always, thank you for all that you do to provide for the vulnerable adults in your community.

Sincerely,

Candace Goehring, Director
Residential Care Services

"Transforming Lives"