



**DELAWARE HEALTH
AND SOCIAL SERVICES**

DIVISION OF
DEVELOPMENTAL DISABILITIES SERVICES

SERVICE INTEGRITY & ENHANCEMENT

TO: DDDS Home and Community Based Service Providers

FROM: Dione Grant, Director of Service Integrity and Enhancement

DATE: October 26, 2022

SUBJECT: Background Check Modification

The Division of Developmental Disabilities Services (DDDS) is pleased to announce an amendment to the Appendix K which takes effect immediately. Providers of the following services: Day Habilitation, Community Participation, Prevocational Services, Supported Employment (Individual and Group), Behavioral Consultation, and Supported Living are authorized to use alternate sources to conduct the background check requirements described in Appendix C. New employees hired by the agency are not required to have the screening conducted through the Background Check Center (BCC). In addition, for these service types, DDDS will accept two reference checks in lieu of the requirement for service letter documentation.

DDDS HCBS Standard requires the following are completed prior to hire:

Adult Abuse Registry, Sex Offender Registry, Child Protection Registry, State and Federal Criminal Background checks, Office of Inspector General, Service letters from prior employers and 5-panel drug screening. During the QSR, Random and New Site inspection, the DDDS Program Evaluator will request verification that the screenings were completed prior to hire. The Program Evaluator will accept two reference checks in lieu of the requirement for service letter documentation.

Providers are permitted to hire employees on a conditional and contingent basis as outlined in the Conditional Hires memo dated August 4, 2022. For conditional and contingent hires, DDDS Program Evaluators will request the following:

Updated *State and Federal Criminal Background Check/ RESIDENTIAL HABILITATION- Verification that the employee was fingerprinted by SBI for both State and Federal criminal history prior to hire.

Day Habilitation, Community Participation, Prevocational Services, Supported Employment (Individual and Group), Behavioral Consultation, and Supported Living May utilize other means of obtaining both Federal and State background screening.

Adult Abuse Registry- Verification that the search was initiated prior to hire, written and acknowledged notification which is signed and dated by the employee and employer, that the person's employment is conditional and contingent upon receipt of the Adult Abuse Registry check



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Sex Offender Registry- Verification that the Sex Offender Registry check was initiated prior to hire

Child Protection Registry- Verification that the search was initiated prior to hire, written and acknowledged notification which is signed and dated by the employee and employer, that the person's employment is conditional, and contingent upon receipt of the Child Protection Registry check

Office of Inspector General- Verification that the Office of Inspector General check was initiated prior to hire.

5- Panel drug Screen- Verification that the employer received the employee's drug screen results prior to hire.

The State of Delaware requires all licensed facilities to use the BCC to perform the various checks; therefore, all potential employees working in Residential Habilitation settings will still be required to use the BCC. Employees hired to work and/or cover shifts in a Residential Habilitation program **must continue** to undergo a screening through the Background Check Center in accordance with Delaware Law, DDDS HCBS Standards and DHCQ Regulation 3310.

Agencies must have a documented process identifying how they will conduct background checks and ensure compliance with DDDS HCBS requirements. Agencies which provide varied service types with differing background check requirements, to include Day Habilitation and Residential Habilitation, must have a written process to ensure employees are properly screened in accordance with Delaware Law (<https://delcode.delaware.gov/title16/c011/sc04/index.html>).

ADDITIONAL RESOURCES:

Delaware Adult Abuse Registry: <https://dhss.delaware.gov/dhss/dhcq/default.aspx>

Delaware Sex Offender Central Registry: <https://sexoffender.dsp.delaware.gov/>

OIG (Office of Inspector General) Exclusions Database: <https://exclusions.oig.hhs.gov/>

Delaware Child Protection Registry: <https://childprotectionregistry.delaware.gov/s/login/>

If you have any question regarding this document, please contact Dione Grant

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