



CDSS

WILL LIGHTBOURNE  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**



EDMUND G. BROWN JR.  
GOVERNOR

PIN 17-03-CCLD

**TO:** ALL COMMUNITY CARE PROVIDERS

*Original signed by Pamela Dickfoss*

**FROM:** PAMELA DICKFOSS  
Deputy Director  
Community Care Licensing Division

**SUBJECT:** FACT SHEET—Community Care Licensing Background Checks

**Provider Information Notice (PIN) Summary**

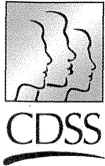
PIN 17-03-CCLD provides a fact sheet with information on the criminal record background check process.

The California Health and Safety Code requires a criminal record background check of all individuals associated to community care facilities.

Before an individual can obtain a community care facility license, provide services, be listed on the Home Care Services or Trustline registries, work, or reside in a facility, he/she must receive a criminal record clearance, or an exemption from the Community Care Licensing Division's Caregiver Background Check Bureau.

As part of our continued efforts to keep licensees informed, the Division has developed a fact sheet with information regarding the background check process, including the exemption process, arrest process, and transfers.

If you have any questions regarding this fact sheet or the background check process, please contact the Caregiver Background Check Bureau's Customer Service representatives at (888) 422-5669, or visit our website at [www.cclid.ca.gov](http://www.cclid.ca.gov).



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## FACT SHEET

### Community Care Licensing Background Checks

February 2017



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#### Who Needs to Be Fingerprinted?

All individuals associated to a community care facility must undergo a criminal background check. Adults who work in licensed community care facilities or home care organizations, Home Care Aide applicants, whether independent or affiliated to a home care organization, and unlicensed child care providers registered through TrustLine must be fingerprinted.

#### Background Check Clearance or Exemption

Before an individual can obtain a community care license, provide services, work or reside in the facility, he/she must receive a criminal record clearance, or an exemption from the Caregiver Background Check Bureau (CBCB). All convictions other than minor traffic violations require an exemption, including misdemeanors, felonies and convictions that occurred a long time ago or were dismissed.

When processing an exemption, CBCB considers the individual's criminal history, reviews arrest records and the individual's statement of events, and whether substantial and convincing evidence of good character and rehabilitation have been provided. The purpose of the exemption is to determine if an individual's conduct and current character pose a risk to clients.

Individuals convicted of serious crimes such as robbery, child abuse, and elder abuse are not eligible to go through the exemption process.

CBCB sends letters to the individual and licensee when an exemption is needed. All documents requested by CBCB must be received within 45 days from the date of the letter. If an individual is not able to obtain the arrest report or court documents, CBCB will attempt to obtain them, however, this may cause significant delays in the exemption process. Exemption determinations are made when all documents requested are received and can take up to 75 days.

#### Simplified Exemption

A simplified exemption is an expedited exemption process that does not require the licensee or individual to submit an exemption request or any supporting documents. CBCB has the discretion to process simplified exemptions when the individual has the following criminal history and **all** criteria are met:

- (1) The individual does not have a pattern of criminal activity.
- (2) There is only one non-violent misdemeanor.
- (3) The conviction occurred at least five years ago (including the completion of supervised probation or incarceration).

If CBCB determines that there may be a risk to the health and safety of clients in care, a standard exemption may be required even if the individual meets the criteria above.

#### Exemption Transfers

Once granted, an exemption can be transferred from one licensed community care facility to another, if certain conditions are met. Exemption transfers require the review of the prior criminal record exemption. CCLD implemented an expedited transfer process where a letter is sent to the licensee within one week of the date the request is received at CBCB. This letter informs the licensee whether or not the individual can begin working during the exemption review process.

#### Arrest-Only Cases

CDSS screens all arrest rap sheets to determine whether an investigation is necessary. The list of referable crimes is listed in statute and includes all crimes that are considered non-exemptible. CBCB sends a letter to the individual notifying him/her that an investigation of the arrest(s) will be conducted to determine if the underlying conduct is substantiated and therefore presents a risk to the health and safety of clients in care. The evaluation of arrests may delay the clearance process. CCLD is not authorized to share arrest information with the licensee.