

CERTIFIED FACILITIES

Medicare- and Medicaid-certified long term care facilities are prohibited from employing individuals who have been found guilty in a court of law of abuse, neglect, misappropriation of residents' property or mistreating residents, and cannot employ individuals who have had such a finding entered into the Certified Nurse Assistant (CNA) Registry. This registry documents any of these findings for a CNA or Certified Medical Technician. Facilities are required to check the registry before hiring any individual and may not continue to employ a person whose name appears on the registry with a federal indicator. Providers must seek registry verification from all states believed to have information concerning the applicant.

For more information, go to:

www.dhss.mo.gov/CNARegistry

GOOD CAUSE WAIVER

Individuals disqualified from employment in long term care because of criminal convictions or findings listed on the Family Care Safety Registry may request that the disqualification be waived. They can apply for a good cause waiver with the department.

Individuals whose names appear on the employee disqualification list **are not eligible** to receive a good cause waiver. Such persons must follow the provisions within Missouri Revised Statute 660.315 to request a review of their EDL placement.

For more information, go to:

www.dhss.mo.gov/goodcausewaiver/.



Division of Regulation & Licensure
Section for Long Term Care Regulation
P.O. Box 570
Jefferson City, MO 65102
Phone: (573) 526-8524
Fax: (573) 751-8493
www.dhss.mo.gov

Alternate forms of this publication for persons with disabilities may be obtained by contacting the Missouri Department of Health and Senior Services toll-free at 1-800-235-5503. Hearing and speech impaired citizens telephone 1-800-735-2966 or VOICE 1-800-735-2466.

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER
Services provided on a nondiscriminatory basis.

BACKGROUND CHECKS



A Guide for Long Term Care Facilities

WHO?

All long term care facilities licensed by the Missouri Department of Health and Senior Services (DHSS) are required to conduct employee background checks.

WHAT?

Two types of background checks are required: a criminal background check and an Employee Disqualification List (EDL) check.

CRIMINAL BACKGROUND CHECK

1) The criminal background check is a report that provides criminal history information on an applicant.

2) A facility must request a criminal background check before hiring anyone. An applicant may be employed and have direct resident contact while the report is pending. However, upon receipt of the report, a facility must immediately ensure the employee has no disqualifying convictions.

3) The Missouri State Highway Patrol completes criminal background checks. Call them at 573-526-6153 to request a report.

4) Facilities may also request a criminal background check through Missouri's Family Care Safety Registry (FCSR), a private investigation agency or professional association, as long as the Missouri State Highway Patrol completes the report.

5) It is a Class A misdemeanor for a provider to knowingly hire or retain a person to have contact with residents if that person has been convicted of a disqualifying crime. For guidance concerning specific crimes, refer to Missouri Revised Statute 660.317, or contact the DHSS Section for Long Term Care Regulation Survey and Compliance Unit at 573-526-8532.

EMPLOYEE DISQUALIFICATION LIST (EDL)

1) The Department of Health and Senior Services maintains the employee disqualification list. The list names those who have committed acts of abuse, neglect, misappropriation of funds, or falsification of service delivery documents. The information is confidential and available for employment purposes only.

2) Facilities cannot hire an applicant until an employee disqualification list check determines the applicant's name is not listed. In addition, facilities must check each quarterly EDL update to ensure that no employee's name has been added.

3) Facilities may utilize one of the department's automated systems to see if an applicant's name appears on the employee disqualification list:

- Interactive voice response system at 573-522-6510
- Web-based EDL system at <http://www.dhss.mo.gov/EDL>

FAMILY CARE SAFETY REGISTRY

1) Facilities may also utilize the Family Care Safety Registry to obtain a free criminal background and EDL check on an applicant. Doing so meets the requirements of obtaining both reports at once.

2) All eldercare workers hired on or after January 1, 2001, must register with the FCSR. Registration is the responsibility of the individual worker, not a facility. An eldercare worker is defined as "a caregiver who receives state or federal funds for the care of a senior" or "an employee of a licensed long term care facility."

3) For more information, contact the registry by mail, phone, fax or Internet:

Department of Health & Senior Services
FCSR
P.O. Box 570
Jefferson City, MO 65102

Toll-free: 1-866-422-6872
Phone: 1-573-526-1974
Fax: 1-573-522-6981

Web: www.dhss.mo.gov/FCSR/

