

# State of Michigan

## **MICHIGAN WORKFORCE BACKGROUND CHECK**

*LEGISLATIVE AND SYSTEM CHANGES*

*MARCH 1, 2011*

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## OVERVIEW OF LEGISLATIVE AND SYSTEM CHANGES

Since April 1, 2006 the Michigan Workforce Background Check program has implemented statutory background check requirements for workers whose job gives them direct access to patients and residents in long-term care and hospice facilities. A common complaint from employers and workers is that some workers are subject to repeated fingerprinting requirements over a short period of time. The department's response was to research the frequency of fingerprinting and recommend changes that will reduce the cost and inconvenience to employers and workers without compromising the protection to residents and patients. Public Acts 291, 292 and 293 of 2010 are the result of our research and recommendations in collaboration with providers, their advocacy groups, and the Michigan State Police. Beginning March 1, 2011 the online background check system process will change slightly to accommodate the new requirements.

Employers and licensees will enter an applicant's demographic data as before, but with an additional statement about the applicant's residency and a new field to include the applicant's telephone number. The preliminary screening process (Registry Checks) will not change. Once the employer indicates that the all registries and databases have been checked and there is no disqualifying information, the system will determine if a previous result can be shared.

If the applicant submitted fingerprints under this program within the past 12 months and is still employable, and the applicant has resided in Michigan during the past 12 months, there is no need to request a new background check. The employer can immediately make a final hiring decision based on the previous recent fingerprint-based check. The following new screen shots will help guide employers through the new processes. If an applicant does not have fingerprint results on file in our system, enter the applicant data and process as you do now.

The full background check process has not changed and we believe that current system users will find that the process for sharing results fits well into the process they are accustomed to. The benefits of sharing results will be evident in reduced costs to providers, immediate access to results for many applicants, and a less burdensome process for employers and workers.

CASE 1: APPLICANT HAS A VALID RESULT ON FILE AND IS EMPLOYABLE

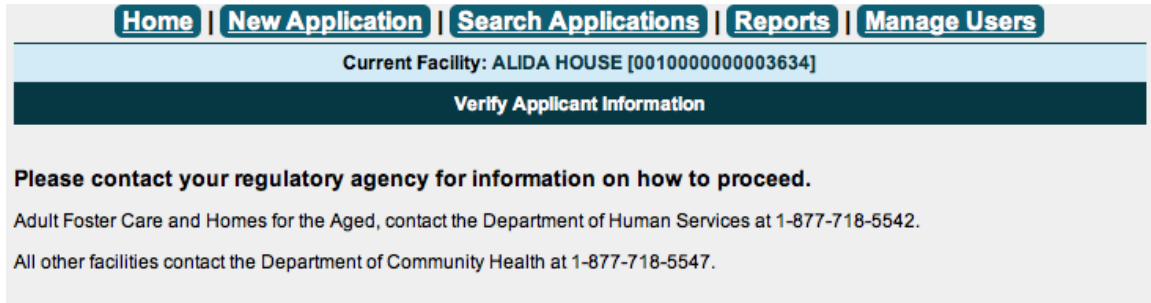
**Registry Checks are completed and there are no disqualifications.**

Once "Registry Checks" are done, the system will determine whether the applicant is eligible for shared results. You will be prompted to make a final hiring decision based on the results on file. After you make the final hiring decision you will return to your Home Page. There is no further action required. To view the applicant record, go to Search Applications.

<a href="#">Home</a>   <a href="#">New Application</a>   <a href="#">Search Applications</a>   <a href="#">Reports</a>   <a href="#">Manage Users</a>	
Current Facility: ALIDA HOUSE [0010000000003634]	
You are working on DAWN Nguyen's [A0000300] application	
<b>Final Decision</b>	
After viewing the results, please select your final hiring decision from the drop-down menu. ( <a href="#">Adobe Reader</a> )	
Applicant ID:	A0000300
Applicant Name:	DAWN Nguyen
Background Check Results:	<a href="#">View Letter (PDF)</a>
Hiring Decision	I intend to hire or continue to employ this individual. ▾
	<input type="button" value="Cancel"/> <input type="button" value="Make Decision"/>

## CASE 2: APPLICANT HAS A VALID RESULT ON FILE, BUT IS NOT EMPLOYABLE

The process ends and the employer is instructed to contact the regulatory agency for more information.



The screenshot shows a web application interface with a navigation bar at the top containing links for Home, New Application, Search Applications, Reports, and Manage Users. Below the navigation bar, the current facility is identified as ALIDA HOUSE with a unique ID. A dark blue bar highlights the 'Verify Applicant Information' section. The main content area contains a bold instruction to contact the regulatory agency, followed by specific contact information for Adult Foster Care and Homes for the Aged, and a general contact for all other facilities.

[Home](#) | [New Application](#) | [Search Applications](#) | [Reports](#) | [Manage Users](#)

Current Facility: ALIDA HOUSE [001000000003634]

**Verify Applicant Information**

**Please contact your regulatory agency for information on how to proceed.**

Adult Foster Care and Homes for the Aged, contact the Department of Human Services at 1-877-718-5542.

All other facilities contact the Department of Community Health at 1-877-718-5547.

### CASE 3: APPLICANT HAS SUBMITTED FINGERPRINTS, BUT THE RESULTS ARE NOT BACK YET.

There is no need to request a new fingerprint-based check. The result can be shared after a determination is made.

Once "Registry Checks" are done, the system will prompt you to make a preliminary hiring decision. The record status will show as "Pending Results" on your Home Page. You will be notified when the department receives a response and a determination is made.

The screenshot shows a web application interface with a navigation bar at the top containing links for Home, New Application, Search Applications, Reports, and Manage Users. Below the navigation bar, it displays the current facility as ALIDA HOUSE [0010000000003634] and indicates that the user is working on Roberto Carlos's [A0000299] application. The main section is titled "Preliminary Decision" and contains a table with registry check results. Below the table, there is a prompt to select a preliminary hiring decision based on the results, followed by four radio button options. At the bottom, there are three buttons: Back, Save & Return, and Save & Continue.

REGISTRIES	RESULTS
U.S. HHS Medicare/Medicaid Exclusion List (OIG)	No Exclusionary Findings
Nurse Aide Registry (NAR)	No Exclusionary Findings
Public Sex Offender Registry (PSOR)	No Exclusionary Findings
Offender Tracking Information System (OTIS)	No Exclusionary Findings

**Based on the results of the registry checks, select your preliminary hiring decision below:**

I intend to have this applicant start working immediately on a **conditional employment** basis.

I intend to **hire** this applicant, but **not until the fingerprint results come back**.

The **applicant withdrew** from the hiring process.

I am **withdrawing** this application from the hiring process.

Back      Save & Return      Save & Continue

If you plan to conditionally hire the applicant, please make sure you check the new requirements:


- If the employee will not have direct access to patients or residents they may work without supervision or restriction.
- If a conditional employee will have direct access to patients or residents, they must be supervised during the conditional employment period by an individual who has undergone a background check under this program.

- The employee may work conditionally without supervision only if :
  - The employee has resided in Michigan continuously for the past 12 months; and
  - The employee has stated in writing that they have not been convicted of a relevant crime that would disqualify them; and
  - The employee states in writing that they have not been the subject of a substantiated finding of neglect, abuse or misappropriation of property by a state or federal agency pursuant to an investigation conducted in accordance with 42 USC 1395i-3 or 1396r; and
  - The employee has not been the subject of an order or disposition under section 16b of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.16b.
  - The employer conducts a name-based criminal history check through the Internet Criminal History Access Tool (ICHAT) at his or her own expense; and
  - A fingerprint-based criminal history check is requested within 10 business days from the date of conditionally employment.

Current Facility: ALIDA HOUSE [0010000000003634]	
You are working on Roberto Carlos's [A000299] application	
Preliminary Decision	
REGISTRIES	RESULTS
U.S. HHS Medicare/Medicaid Exclusion List (OIG)	No Exclusionary Findings
Nurse Aide Registry (NAR)	No Exclusionary Findings
Public Sex Offender Registry (PSOR)	No Exclusionary Findings
Offender Tracking Information System (OTIS)	No Exclusionary Findings

**Based on the results of the registry checks, select your preliminary hiring decision below:**

I intend to have this applicant start working immediately on a **conditional employment** basis.  
 I intend to **hire** this applicant, but **not until the fingerprint results come back**.  
 The **applicant withdrew** from the hiring process.  
 I am **withdrawing** this application from the hiring process.



**You have chose to conditional hire this applicant. It is required by law that you run an ICHAT registry check on him/her. Click here to go to ICHAT.**

## CASE 4: IDENTIFYING INFORMATION DOES NOT MATCH

**Notice: A valid social security number is now mandatory.**

Race:  [\[Help Classifying/Denominations\]](#)

\* SSN:  (e.g. 354-12-5644 or 254125644)  
**According to the [Social Security Administration](#), this SSN has NOT been issued.**

If your applicant does not have a valid Social Security Number, please contact your regulatory agency. If a Social Security Number does not match the Date of Birth on file, or if other identifying information does not match, the data must be corrected and/or verified before results can be shared.

The employer will be prompted to review the information entered and to edit the applicant profile if necessary before they can proceed. If the employer cannot correct the problem, contact your regulatory agency.

Current Facility: ALIDA HOUSE [0010000000003634]

You are working on Cogent Id's [A0000308] application

### Registry Checks

Follow the steps below to conduct registry checks for your new hire. The results will display in a pop-up window. ([Legal Guide - PDF](#))

**1. Check these registries. If the new hire is found in any of these three registries, the person is not eligible to work.**

**1a. HHS Medicare/Medicaid Exclusion List (OIG) registry:**

Does the new hire appear in the registry?  
 No  Yes

**1b. Michigan Nurse Aide Registry (NAR) registry:**

Does the new hire appear in the registry?  
 No  Yes

**1c. Michigan Public Sex Offender Registry (PSOR) registry:**

Does the new hire appear in the registry?  
 No  Yes

**2. Check the Michigan Offender Tracking Information System (OTIS) registry. ([Legal Guide - PDF](#))**

Are there any exclusionary findings?  
 No  Yes

 **There is a discrepancy between DOB that you entered for this applicant and the one that we currently have on file. Please make sure that what you entered was correct. You will not be able to continue until this issue is resolved.**

## CASE 5: APPLICANT DATA WAS ENTERED BEFORE THE NEW RELEASE AND PROVIDER DID NOT ANSWER THE RESIDENCY QUESTION

If the system determines that valid results are on file, but the residency question is missing, you will be prompted to answer a question that establishes whether results may be shared.

**Home** | **New Application** | **Search Applications** | **Reports** | **Manage Users**

Current Facility: ALIDA HOUSE [0010000000003634]

You are working on Dee Nguyen's [A0000298] application

**Prints Qualification**

This applicant has fingerprints on file, in order to use these fingerprints he/she must be a michigan resident and continuously employed in Long-term Care for the last 12 months.

Did this applicant continuously reside in Michigan since 2/24/2010?

Yes

No

Save & Continue

IF YOU HAVE COMMENTS OR QUESTIONS ABOUT THE NEW PROCESS, PLEASE CONTACT THE Michigan WORKFORCE BACKGROUND CHECK THROUGH [WWW.MILTCPARTNERSHIP.ORG](http://WWW.MILTCPARTNERSHIP.ORG) .