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Pat Quinn, *Governor*

Illinois Department of Human Services

Carol L. Adams, Ph.D., *Secretary*

319 East Madison Street • Springfield, Illinois 62701

**Date:** September 25, 2009

**To:** Community Providers of Developmental Disabilities Services

**From:** Lilia Teninty, Director  
Division of Developmental Disabilities

**Re:** Electronic Fingerprint Background Checks and Public Act 096-0632

Enclosed is a packet of materials provided by the Illinois Department of Public Health (IDPH) that describe Amendments to the Health Care Worker Background Check Code (77 Illinois Administrative Code 955). Also included in this correspondence is information about Public Act 096-0632 which requires the formation of a task force that will recommend a uniform process across State agencies for conducting and reporting background check results to the Health Care Worker Registry.

The major changes which most affect community providers include:

### **Electronic Fingerprint Background Checks**

Over the next year or so, the IDPH will be rolling out a web-based process for using electronic fingerprint vendors (livescan) for obtaining Illinois State Police background checks and updating the Health Care Worker Registry. Initially, participation will begin with facilities that were a part of the IDPH pilot program a few years ago. No community providers serving developmental disabilities consumers were included in that test program. Electronic fingerprint results are usually returned within 24-48 hours after prints are submitted to the Illinois State Police.

The web-based process will be rolled out incrementally and by geographic area of the State. No timetable for roll-out has been released, but IDPH representatives will contact providers when the roll-out affects their area. The IDPH will coordinate training of provider staff on how to use the web-based system and to begin using the new process. Until then, however, provider agencies will continue to use the Uniform Conviction Information Act (UCIA) name-based background check procedures. IDPH contact names and phone numbers are included in the enclosed materials if you have questions.

## **Waiver Requests for Disqualifying Convictions**

There is now a revised process for requesting waivers for disqualifying criminal convictions on the Health Care Worker Registry to allow persons to provide direct care services to people with developmental disabilities. Section 955.260, Application for Waiver, places the responsibility for approving all waivers for students, applicants or employees listed on the Health Care Worker Registry with the Illinois Department of Public Health. This new waiver process applies to employees providing services and supports to people with developmental disabilities in programs operated under contract with the Illinois Department of Human Services (IDHS). The IDHS no longer approves waivers for these employees.

## **New Law: Public Act 096-0632**

This law creates a task force to make recommendations to create a more centralized and coordinated process for conducting criminal history background checks in order to reduce duplication of effort and make better use of resources and taxpayer dollars. The task force will be comprised of representatives from the Illinois Departments of Public Health, Human Services, Central Management Services, Healthcare and Family Services, State Police, Labor, Financial and Professional Regulation, and Children and Family Services; the Illinois Criminal Justice Information Authority; Office of the Secretary of State; State Board of Education and representatives from a number of other non State agency interests. The task force is to present its recommendations to the General Assembly by January 1, 2011. A copy of the law is available at: <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=096-0632>

Enclosures

