

## **Quick hits**

### **State Updates on Legislation**

#### **Denise Matthews, Georgia**

- Denise said that the legislation passed and they are waiting on the governor to sign the legislation for expanding background checks and for the caregiver's registry. The legislation will not go into effect until October 2019, but the governor should be signing the legislation in the next few weeks. The GA State police submitted rap back legislation and it also passed.

### **CMS Update**

- Don said the notice of award for the three new incoming grantee states, Wisconsin, Idaho, and Mississippi, has not come in, but should happen soon. Jan Tarantino, Deputy Director of the CMS Quality, Safety & Oversight Group and CMS NBCP Lead, passed away. Kellie Jakaitis is now the new CMS Lead and Leslie Boyd, Health Insurance Specialist within the same Group, is the new CMS NBCP Contracting Officer's Representative (COR).

### **Questions**

- Jane Lengel asked that since Kellie is the project officer for Ohio and is now the new CMS Lead; will she no longer be Ohio's project officer since she will have additional responsibilities as Lead? Don responded that he believes she will remain as project officer for Ohio and her other respective States.

### **CNA Update**

- Liz said she is meeting with the new CMS NBCP COR, Leslie Boyd, to discuss the transition from a contractual standpoint, but she doesn't expect any big changes. The focus right now is preparing for the three states that are going to be coming into the program. CaraLee Starnes and Liz will be sharing the responsibility as state liaisons to the three new states when they come in.
- The NBCP Quarterly Bulletin will be sent out on Monday, April 16, 2018. Liz encouraged the webinar participants to send any state highlights and updates, as well as any articles they may come across that would be interesting or pertinent to the State Liaison email. Those highlights, updates, and articles will be reviewed and included in future bulletins.
- CNA is also continuing the work in the transition of the NBCP Nurse Aide Registry (NNAR): Ernie, as a senior advisor to the NBCP, has been working closely with James to assist with the transition.
- Liz asked CaraLee to be the lead in working with the Forum for the upcoming Association of Health Facility Survey Agencies (AHFSA) Annual Conference. CaraLee is working closely with the Forum members on the development of the various presentations that CNA was asked to contribute to.

### **NBCP Nurse Aide Registry (NNAR) Update**

- (Referencing Slide 7) The States currently participating in the NNAR are D.C., Georgia, Florida, New Mexico, Nevada, Ohio, Utah and West Virginia. Innovative Architects (IA) have developed the criteria for California, Oklahoma and Oregon and are just waiting for implementation in those states. The participating States are able to check against Oregon's NAR, even though OR is still waiting for implementation; as a result, Allison said data is being returned for OR as well.
- (Referencing Slide 8) There are five states, Alabama, Colorado, Louisiana, Maine, and North Dakota, that have publicly available, nurse aide abuse registries that IA is currently working on developing to add into the NNAR. Connecticut, Hawaii, Kansas and Minnesota will also be developed this year. Minnesota should be included at the end of the month, and Alaska, Delaware, and North Carolina are under consideration to be added in 2018.
- (Referencing Slide 9) IA is beginning to collect data based on monthly match and call counts. The call counts are the number of times that the NNAR has been hit, and the match count is the number of times the data has been returned. Allison said she believes the Florida NAR made a change where they no longer return certification information; she is reaching out to them to determine the reason. Allison said that starting this month, she will be able to see if the matches come from one state's nurse aide registry, or if they come from other States as well. For example, for the 42 matches in Florida, Allison will be able to determine whether they all came from the Florida NAR or if they came from other states as well.
- Ernie asked Taylor if she knew why the Florida NAR no longer returns certification information. She said that she asked her developer if he had been given the change, but he said no; she is not sure what occurred.
- James said the NNAR proposal he provided to Mike Cook, president of AHFSA, will most likely be discussed at the Survey Executives Training Institute (SETI) Conference as the AHFSA board members and CMS officials will be in attendance. Mike will follow up with James after his discussion with the board members.
- James said that as part of the preparation for moving forward, one of the things that the Forum identified was that it would benefit by having a better understanding of how the registries work and screen. For example, in Oklahoma, new nurse aides come in through the joining program data file. Oklahoma does not screen the new nurse aides, they are uploaded into the system, and they are certified because they passed the test. The nurse aides get officially screened when they go to seek employment. When they go to the first employer, they're fingerprinted and go through the full screening. James said the purpose is to understand different state processes; as a result, James has developed a draft survey (Slide 10).
- The survey asks:
  - How many nurse aides are being certified, whether they're doing a screening prior or after to the initial certification;
  - What type of screening the state may be doing;

- Does the state use a contractor to manage the registry or an upload file like Oklahoma; the thought behind that is if states use an upload file like OK, then that upload file could then be routed into the national nurse aide registry to be checked with the results coming back to the states;
- Is there an automatic conversion of the test records that come in;
- Is the state interested in the NNAR, if not, why?

### **Questions**

- Alex asked James, “I know when I bring this to my certified nurse aide (CNA) manager, the first thing he's going to want to know is why does the Oklahoma Department of Health want this information?”
- James said that the link to the survey will go out through AHFSA and there will be an accompanying email explaining that the purpose of the survey is to understand other state processes. The NFBC is looking to establish a network of connective nurse aide registries, and the survey was drafted by a member state.

### **Applicant License Verification** **Meghan Shears, West Virginia**

- Meghan said that West Virginia had an issue with someone that came through the program and was actually working in a nursing home that posed as a registered nurse (R.N.). The posing R.N. actually worked in the nursing home for about six months; Meghan reviewed everything on her end as well as reviewed what the nursing home did for verification and was not able to determine how the woman was able to pose as a legitimate R.N. and work in the home. Meghan asked how other states handle issues like this. She asked if any states actually provide for license verification during the pre-screening process or application process with whatever system the state uses. And if the state does, do they have any issues with that?
- One of the issues that Meghan discovered through this entire process is that her program needs to go to the West Virginia nursing board; they enter a first and last name, and it potentially provides a match for that person, but there are no other criteria or data that is returned such as birth date or Social Security Number (SSN). So when the posing R.N., including her aliases, was searched, it looked as if she did have an active R.N. license.
- Taylor responded to Meghan saying Florida does not require license verification; however, the FL system links to the Department of Health that does the licenses for nurses and such and it will show whether the person has an active license. Taylor said the connection is based on SSN, last name, and date of birth. However, if the provider is checking, it's not something that the Department of Health is checking when processing screenings.
- Meghan said that in West Virginia, part of the process is they have an active web service with not only the nurse aide registry, but they actually check everyone to see if they were ever a nurse aide. She asked if Florida's process is set up in a similar way.
- Taylor said that yes, it is a web service connection; once the person is searched, the system will provide the eligibility and DOH license data.

- Meghan asked Taylor if she has had any issues with the service. Taylor said none that she is aware of. The biggest issue the FL Department of Health has had is they will license somebody before they have a SSN or they'll let them go through the process; however, to be in the system, the person has to have a SSN and the department would just use dummy SSNs. The issue is that when the person is searched and supposed to have a license and doesn't show up, it is because the system has not updated the dummy SSN to the actual SSN.
- Meghan said that unfortunately in West Virginia, they do not have a centralized place that they can check licenses; each board is completely separate. She would have to get the support of the secretary, but start with each board that they want to incorporate in this process beginning with the nursing board due to the negative press. She did check the posing R.N. on the website listed on Slide 11, but one of the issues with this site is that it charges \$30 for verification; personally she thinks it is worth the cost.
- Allison asked if it costs \$30 per check; Meghan said she only did checked for the one person and it was \$30 for the state of West Virginia, so she is not sure if it is cost per person or state.
- Alex said that Maine's system sounds similar to West Virginia's. When Maine has compact nurses, it will come back in the system as an undetermined license which they then have to manually check, and Maine has never had to pay for that. Alex said he will reach out to Meghan offline to discuss the process further.
  - **Action Item:** Alex and Meghan will discuss Maine's process for license varication offline.
- James said that he will be able to save the answers to the poll question regarding the licensing verification and provide the results to Meghan, as well as develop a white paper based on the responses. James also said that OK's core system is designed to query license databases. Right now the only one it does is the nurse aide registry and it returns the status of the nurse aides and those certifications and expiration dates. For the multistate licensing, James said that OK had a nurse license out of Texas, but work in OK; the nurse did not need an Oklahoma-specific license.
- Meghan said that one of the things she has learned with fingerprinting for nurses is that they are only fingerprinted if they have this multistate license. If they're only in West Virginia, it's left up to whatever provider type or facility they work for to fingerprint them, but they don't necessarily have to have a fingerprint-based background check to obtain a nursing license in West Virginia.

### **AHFSA Conference Topic Discussion**

- Taylor said that it was brought to her attention that states may be interested in hearing about the different screening systems each state has. She had not included this as a topic in the draft agenda she presented at the last meeting, but wanted to gauge how much interest there was in this topic. She asked if there were any states that would like to volunteer; they can follow up with her or the Forum at a later date. States could provide information on aspects of the system such as new applicant workflow, determination workflow, rap back work flow, reporting, data sharing, and more. States who do not want to volunteer to present, but do

want to know more about state screening systems should also let Taylor/the Forum know soon as Taylor is working to finalize the agenda.

- James expressed interesting in learning more about different state screening systems.
- **Action Item:** Taylor will send out an e-mail asking everybody if this is something that they would be interested in learning about and if they are interested in presenting; she will send an email out to the Forum.
- James said that the Forum will have a separate call to finalize the agenda.

### **Participants**

- Karen Benson, AK
- Patricia Trella, CT
- Tom Murray, DE
- Taylor Haddock, FL
- Denise Matthews, GA
- Tom Novak, MI
- Melanie Madore, MO
- Jane Lengel, OH
- Scott Chisholm, OK
- James Joslin, OK
- Lourdes Borres Otero, PR
- Mayra Hernandez, PR
- Jim Dube, RI
- Meghan Shears, WV
- Angela Anderson,
- Chris Taylor
- Don Howard, CMS
- Liz Raistrick, CNA
- CaraLee Starnes, CNA
- Ernie, Baumann, CNA
- Nandita Ravishankar, CNA
- Allison Dudziak, CNA/IA



# National Forum for Background Checks

Forum Webinar

April 12, 2018



# Webinar Purpose and Desired Outcome

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**Purpose:** Meeting will provide vehicle for member updates and information exchange on various State, National and Forum activities: report on CMS & CNA activities, State legislation developments, status of NBCP NAR development, and Forum conference track.

**Outcomes:** Information conveyed, feedback received,



# Agenda

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- 13:30 - 13:37 Roll call and welcome to new participants
- 13:37 - 13:45 Quick hits
- 13:45 - 14:55 NBCP NAR Update
- 13:50 - 14:00 Applicant License Verification
- 14:15 - 14:25 Forum/AHFSA Conference update
- State System Presentations
- 14:25 - 14:30 Wrap-up: critical questions & next steps



# Quick Hits

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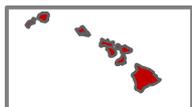
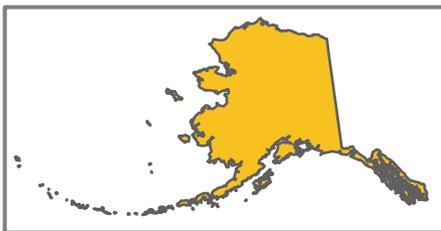
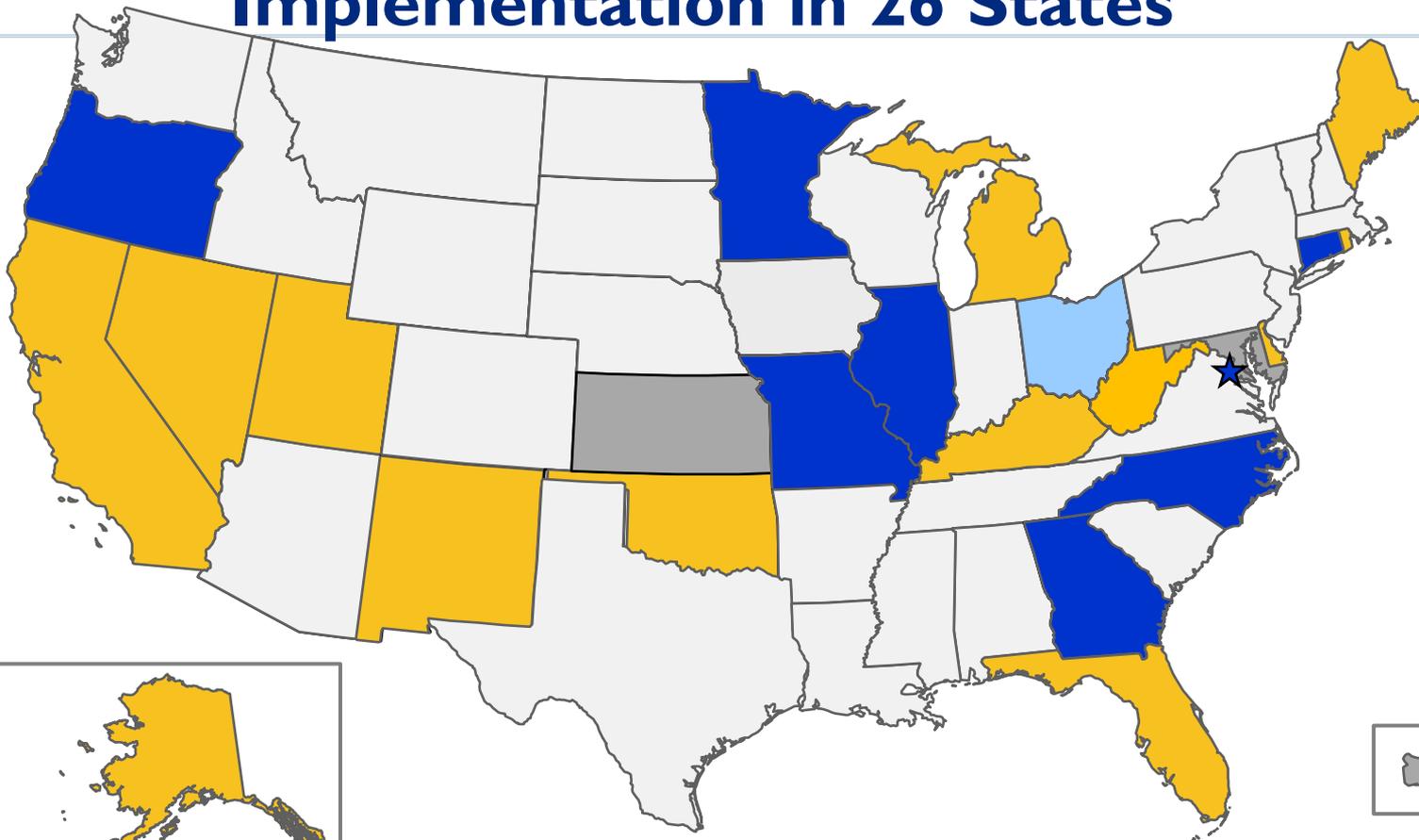
- ▶ Forum Minutes at Website: <http://www.ahfssa.org/NBCP>
- ▶ Legislative Updates – Kansas and Georgia
- ▶ CMS Update – Don Howard
- ▶ CNA Update – Liz Rastrick

# NBCP TA Contract Updates



- ▶ NBCP State Status
  - ▶ 3 New Grant Applications
  - ▶ Award anticipated any day
- ▶ CMS Changes
  - ▶ NBCP Lead & COR Changes
  - ▶ Leslie Boyd, COR
- ▶ CNA & Forum Activities
  - ▶ Planning for AHFSA

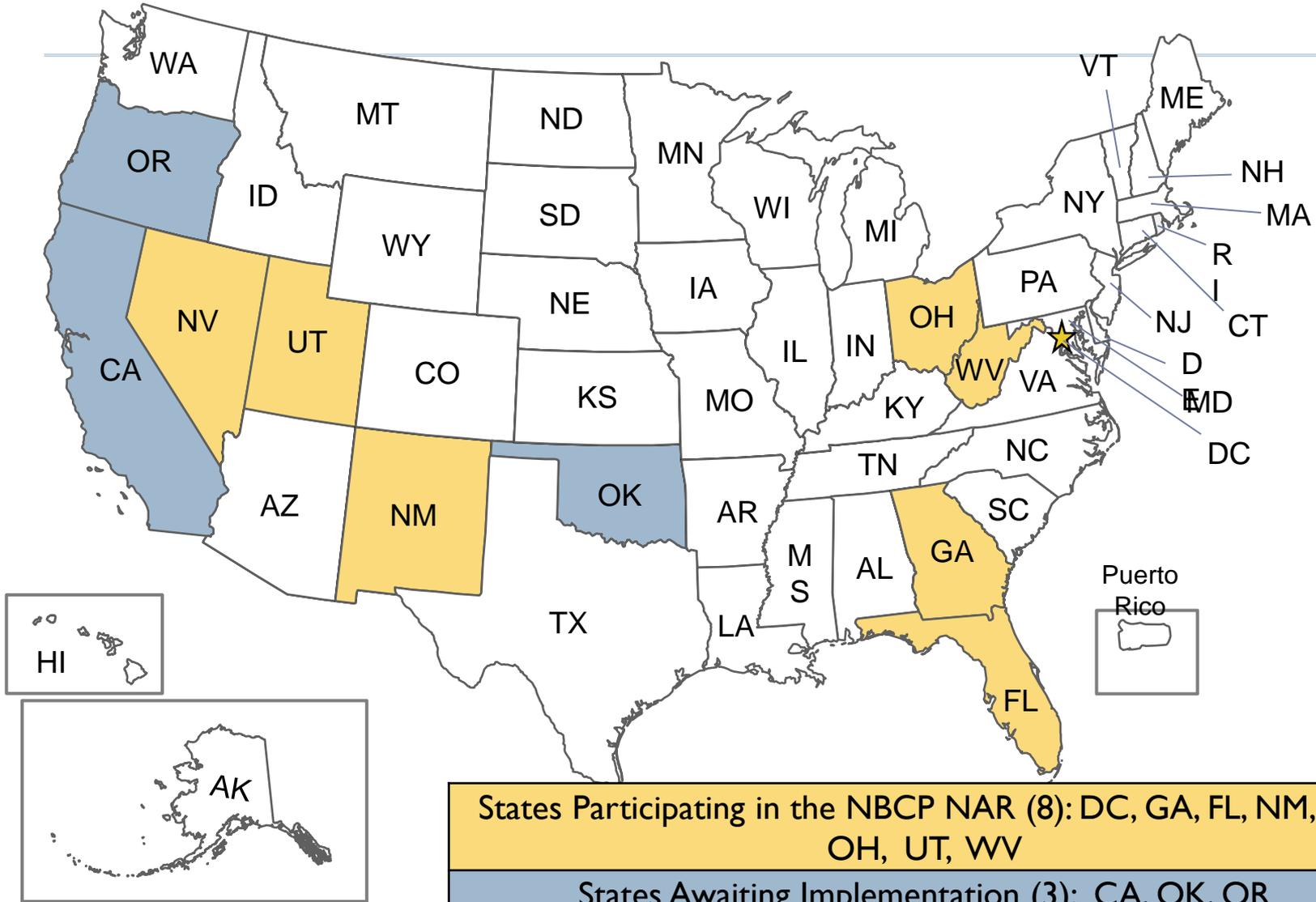
# National Background Check Program Implementation in 26 States



	States in Planning & Development: KS, MD*, PR
	States in Pilot Phase: HI
	State Live w/Implementation of Registries and Rap Back: <b>OH</b> (not integrated)
	States Live w/Implementation of Registries and Integration of Criminal History Record Information (CHRI): CT*, <b>DC*</b> , <b>GA</b> , IL*, MO* (name-based), MN, NC*, <b>OR</b>
	States Live w/Implementation of Registries, Integration of CHRI and Statewide Rap Back: AK*, <b>CA*</b> , DE*, <b>FL*</b> , KY* (voluntary), ME* (name-based), MI*, <b>NM*</b> , <b>NV*</b> , <b>OK*</b> , RI*, <b>UT*</b> , <b>WV*</b>
	*= State Graduated from NBCP

**Bold= NBCP Nurse Aide Registry State**

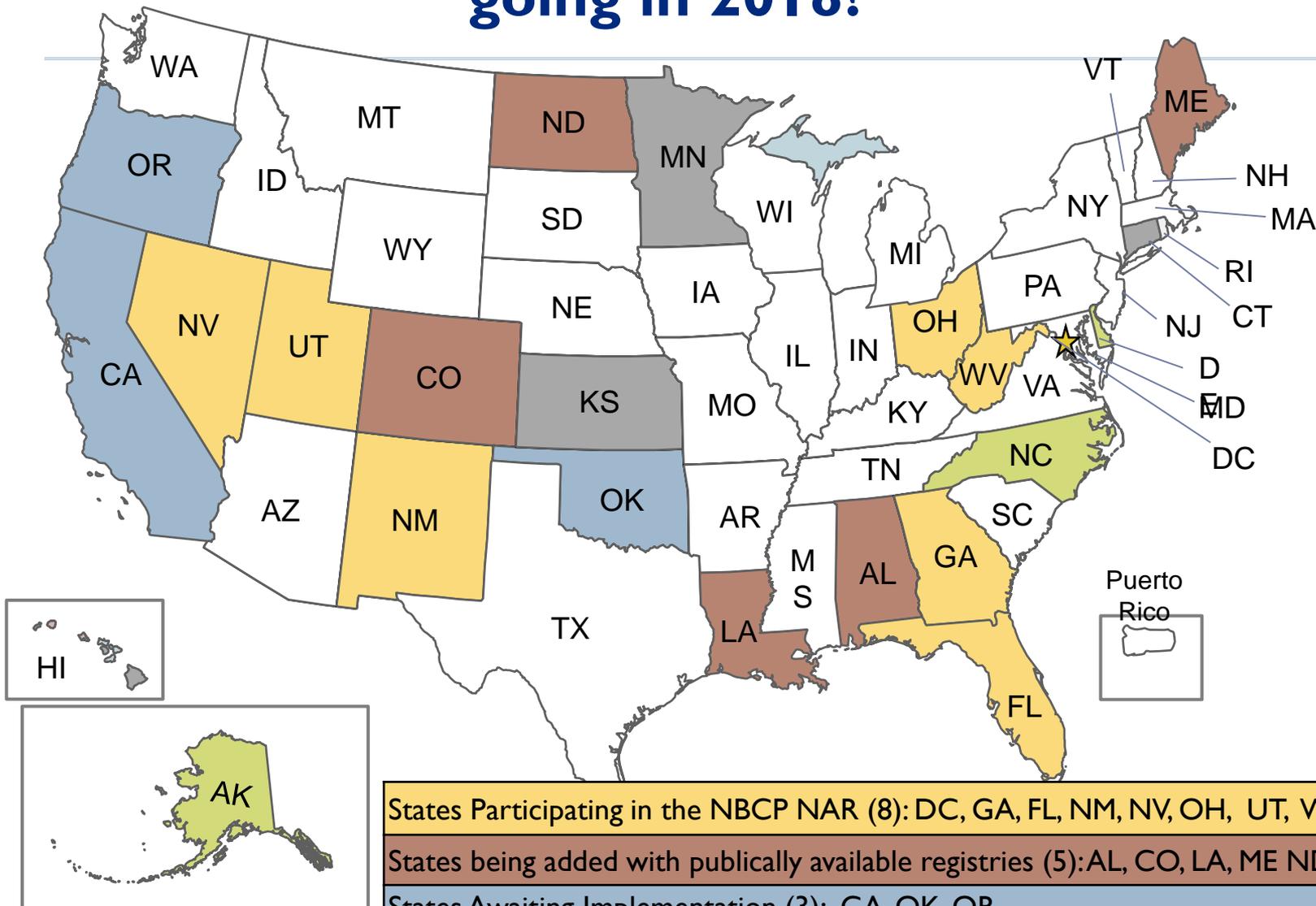
# NBCP Nurse Aide Registry – Where are We?



States Participating in the NBCP NAR (8): DC, GA, FL, NM, NV, OH, UT, WV

States Awaiting Implementation (3): CA, OK, OR

# NBCP Nurse Aide Registry – Where are we going in 2018?



States Participating in the NBCP NAR (8): DC, GA, FL, NM, NV, OH, UT, WV

States being added with publically available registries (5): AL, CO, LA, ME, ND.

States Awaiting Implementation (3): CA, OK, OR

States Planned for Development This Year (4): CT, HI, KS, MN

States Under Consideration for 2018 (3): AK, DE, NC



# NBCP Nurse Aide Registry – Impact



State	Match Count* February 2018	Call Count** February 2018	Match Count March 2018	Call Count March 2018	Match Count Total 8/4/17***- 3/31/18	Call Count Total 8/4/17- 3/31/18
<b>DC</b>	7	1,477	0	1,547	49	12,065
<b>FL</b>	3,666	30,416	42	43,928	37,090	241,840
<b>GA</b>	1	392	0	304	25	2,567
<b>NM</b>	30	8,468	0	9,835	182	71,533
<b>NV</b>	-	-	1	3,762	1	3,762
<b>OH</b>	15	3,945	1	4,763	67	22,034
<b>UT</b>	115	3,779	4	3,433	200	28,801
<b>WV</b>	0	0	6	2,494	176	28,929
<b>Totals</b>	<b>3,834</b>	<b>48,477</b>	<b>53</b>	<b>70,066</b>	<b>37,790</b>	<b>411,531</b>

\*The match count is the number of times that the NNAR returned a match. The match count includes both in-State Nurse Aide Registries as well as all other participating NNAR State match results. In the future, enhanced reporting functionality will include the ability to record where the matches came from (in-State or out-of-State).

\*\*The call count is the number of times during the listed period that a State called out TO the NNAR.

\*\*\* 8/4/17 is the date that reporting capability became available,

# NBCP Nurse Aide Registry Update



- ▶ Nurse Aide Registry Survey Draft
- ▶ Designed to understand how registry staff screen potential new nurse aides
- ▶ Hope is that responses will help us in design of National NAR that supports State NARs
- ▶ Please test and give feedback
- ▶ [https://osdhphs.co1.qualtrics.com/jfe/form/SV\\_a5x4pgDREKCzVQx](https://osdhphs.co1.qualtrics.com/jfe/form/SV_a5x4pgDREKCzVQx)



# Applicant License Verification

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- ▶ Meghan Shears – West Virginia
- ▶ Does your state incorporate license verification in your screening process?
- ▶ How?
- ▶ What issues have emerged?
- ▶ How are you incorporating new multi-state licenses for nurses?
- ▶ [NURSYS.COM](http://NURSYS.COM)



# Conference Topic Discussion

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- ▶ Taylor Haddock – Florida
- ▶ State Screening System Presentations
- ▶ States vary in their design
- ▶ Even those who use core system have variations
  - ▶ New applicant workflow
  - ▶ Determination workflow
  - ▶ Rap Back workflow
  - ▶ Connectivity
  - ▶ Other
- ▶ Would look for volunteer states to present



# Forum Track at AHFSA Conference

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- ▶ Where: Tigard, Oregon; Embassy Suites
- ▶ When: September 23<sup>rd</sup> through 26<sup>th</sup>.
- ▶ Who: anyone interested in background screening initiatives for vulnerable populations
- ▶ Registration is open
- ▶ For registration and rooms:  
<http://www.ahfsa.org/AHFSA-2018-Annual-Conference>



# Critical Questions & Next Steps

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- ▶ Critical questions
- ▶ Next steps/action items
- ▶ Next Webinar: May 10, 1:30 p.m. CST

