National Forum for BackgrOund Checks

Quick Hits

State Updates on Legislation

- James notified the Forum that Brenda Dreher was not present and could not provide a legislative update.
- Sakinah said that Georgia's bill was signed on Monday, May 7, 2018. The bill will go into effect in October 2019.
- Meghan said that the child care licensing rules have changed to include child care in West Virginia Clearance for Access: Registry and Employment (CARES).
- Fernando said that rap back did not pass in Idaho.

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. He said that CMS does not anticipate any problems, but the award process is slow. CMS is continuing to work with the Office of the Inspector General (OIG) as the work on the Interim Report. He is providing them information on graduated States.
- James asked Don about using grant funds to attend the Annual Association of Health Facility Survey Agencies (AHFSA) Conference. Don responded saying that grant funds could be used to attend the AHFSA conference, with the expectation being that those using the funds would attend or be involved in the NBCP breakout session.

CNA Update

- Liz said that CNA is awaiting the imminent notice of award for the three new states. On the contract side, CNA is making some improvements to the NBCP website with regard to content. CaraLee Starnes is leading that effort, and CNA will be adding new legislative links for any state that has background check legislation. CNA will also be including a spreadsheet that denotes certain grant milestones and dates they occur. For instance, milestones such as whether the state has rap back or if provisional employment is a part of the legislation will be marked down. That is one request that CNA can get through technical assistance; CNA wants to provide that on the website as a resource to both active and graduated states. As a part of the website improvement, CNA is looking at some of the resources, making sure that they are updated and streamlined if possible.
- Regarding the AHFSA conference, CaraLee said she and Taylor have had some calls to plan for the conference.
- Liz said that when the notice of award comes in for the three new states, they will be added to the NBCP state status map.

NBCP Nurse Aide Registry (NNAR) Update

- Allison said that development has been completed for Minnesota and Louisiana's publicly available nurse aide registry (NAR). Louisiana is the first of the publicly available Nurse Aide Registries. Innovative Architects (IA) is working on completing development for the remaining publicly available NARs. Oklahoma, California, and Oregon are awaiting implementation. Other states can check against Oregon's NAR, but Oregon cannot currently check against anyone else's NAR.

- Updates for the NAR include Minnesota and Louisiana moving into the awaiting implementation phase. IA has four additional publicly available registries to develop against, but that should happen quickly. For the additional plans for development this year, Allison said she and Beth have had conversations with Prometric, the third-party vendor that holds the nurse aide data for Connecticut, Hawaii and Kansas. They are hopeful that they can roll those states in and move forward quickly.

- During the last webinar, Allison discussed how the Florida NAR had changed the way that they were returning data, and that is why the numbers from anything before March looked much greater than anything they have returned for March and April. Allison said she hopes that for the next set of numbers, she will be able to report where each of the matches came from. For instance, she said she knows in Ohio that all of those matches were from Ohio, but the hope is that she will be able to determine whether Georgia received a match from Florida or something similar to that.

AHFSA Conference Planning

- Taylor said she and James had a call with the AHFSA planning committee. She said they do not have a confirmed agenda. She discovered that the Forum will have seven panels of topics to discuss at the conference. The planning committee will make sure that AHFSA conference members know they are more than welcome to go to any of the tracks, including the NBCP track. Tara Foy is helping run the conference and she is sending out information about how all tracks are encouraged, but specifically about the NBCP track. The other idea Taylor had was to do a combination session with the AHFSA members. Taylor and one of her teammates at her Survey and Certification agency will present. Taylor asked that if Forum members had good working relationships with their respective Survey and Certification team, they could also present.

- Taylor asked that if any Forum members would like to speak about one of the topics, to let her know and she will add them to the panel. She will send out an email with all the conference topics and members can also reply to that email.
  - **Action Item:** Forum members will inform Taylor which topics they are interested in.

- The conference topics will be:
  - Welcome session and questions and answers that new grantees state may have;
  - Best practices, discussion for new grantee states;

- o Performance monitoring and reporting;
  - o Best practices for internal and external stakeholders, this would discuss that the system would be able track and data reporting as far as number and types of offenses;
  - o Training providers on the screening process. How do you train your providers to use your system? How do you train internally to use the system?
  - o Background screening and a certain survey process;
  - o Date screening systems compared; this topic is if a state has a certain functionality that is interesting or great that should be featured such as the applicant initiated;
  - o 2019 planning session for review what did and didn't work in 2018 for the Forum.
- Meghan said she would present on the Training Program panel.
- James said he is working on the presentation for program monitoring, he sent out a question through the discussion list about examples of how to monitor or report on the programs. He asked if the state representatives could provide some information on that topic.
- Tom (DE) said DE is in a maintenance pattern, but the system is running. The only issue DE has had is a few system glitches due to a switch in payment process. However, there have been no issues besides that.
  - o James said he has some examples of a number of appeals filed in the ratio of those granted to those denied and those without criminal history to those with state or with federal criminal history. He asked if Tom is doing reporting along those lines to monitor the program. Tom said he is not, and the disqualification rate is very low in DE. They send the information to the facilities and put it on the facilities following some EEOC guidelines that the Cabinet Secretary enforced.
- Taylor (FL) said monitoring has been a big issue for FL; FL's system automatically assigns work items to staff, but if staff members are not there or if they get too far behind, those work items can then be moved to other staff. It does not capture that it was assigned once and then moved, so that timeframe is added on to the next staff members. They enough work that it evens out eventually, but for what Taylor calls exemptions or waiver or appeal process, they do not do nearly as many of the screening staff. FL is working on changing the system, but it is a huge change to be able to capture when work is moved to people. In the meantime, FL has been able to connect to Tableau to look at workload and processing time. They have data from in the early stages of this system that has outliers, but with Tableau, they are able to extract those outliers. Taylor said she is confident they can get good work performance tracking with Tableau. She is not capturing information with what the offense was with regard to rap back. She had staff entering the offense information into a customer relations management (CRM) database, which greatly affected turnaround times. As a result, staff stopped entering into CRM and they are figuring out a way to pull from a database.
- Sakinah (GA) said IA does provide some monitoring as far as on the user. When issues or concerns do come up they can address those and then GA seeks assistance with IA to have the maintenance issues resolved.

- o James asked if Sakinah has any reporting requirements to any advisory group or the board. Sakinah said that Denise Matthews does report to the Inspector General and then those reports then are reported to the commissioner.
- Allison informed Sakinah that the registry results report is sent to David Ostrander every month; IA is running these queries every month and determined that it would be better to run the report from the system itself.
- Fernando (ID) said ID has not been under scrutiny to provide some data as to how many people are hit. Fernando believes ID is probably the only state in the Forum that actually does its own fingerprinting; they have a lot of data in that regard for addressing how long it takes for a person to get fingerprinted and, how long does it take for their prints to go back and forth. That is what they use to monitor performance. There are also regulatory requirements that impose certain timelines for people to be fingerprinted. If someone would like additional information, we will develop reports (basic spreadsheet) in real time for that person. Officially, ID only has to report to the public; the report is called the Citizen Centric Report, which is usually produced at the end of the fiscal year. Fernando said ID quantifies how many people are Medicaid providers, how many people are behavioral health providers, how many people are daycare providers, because the program was conceived with the NBCP pilot and they just expanded into other classes of individuals or caregivers. ID is trying to become compliant with the Child Care and Development Block Grant of 2014, but the system enhancements due to that have created some system glitches. ID also has had some infrastructure issues with transferring fingerprints from the livescan machine to the state and FBI. That issue will hopefully be resolved in the next 90 days.
- Alex (ME) said that in Maine they are still new at data collection. Their process is different from other states; ME is not involved in the registry checking process. As a result, they do not see who is found in the registry check, they only know after the applicant is submitted for criminal history. ME is tracking how many criminal histories compared to how many applications are started. The way ME's system operates is such that an application does not have to be started before excluding someone for a registry issue; ME tracks the applications for rap sheets. Since ME is just starting to collect data, they do not have any set patterns or trends yet. Alex was notified that irrespective of their biometric requirements, ME is to start organizing the system to bring in childcare.
- Tom (MI) said MI supplies a yearly report to the legislature; part of the report is focused on appeals of determinations and informal dispute resolutions. MI incorporates the internal report with what Michigan State University provides them.
- Melanie (MO) said MO is not doing fingerprints or eligibility determinations. Melanie does monthly reports, but also provides some data such as basic number of screenings, number of screenings with findings, etc. for the governor's dashboard. People have to be registered with the MO Department of Health and Senior Services in order for them to be screened, MO also reports on the number of registered people. For funding purposes, reporting also includes Medicaid and child care match.

- James said he is looking for examples if anyone who is working with call tracking and logging calls, types of calls, etc. he would like to compare calls (number of calls to number of applicants processed and eligible determinations in the system to see if there is any correlation.
- Meghan (WV) said every month she and her staff submit reports to the Inspector General's office for DHHR and to the Cabinet Secretary's office reporting on the number of people that they have imported into the system, being monitored against those monthly registry rechecks. WV also reports on the number of determinations that have been made since the beginning of the program and the number of monthly determinations, in addition to reporting on the hands-on training.

Participants:

- AK: Karen Benson/Tracey Marshall
- CA: Paul DeHerrera/Madeleine Childs
- CT: Matt Antonetti/Patricia Trella
- DC: Alem Ghebrezghi
- DE: Tom Murray
- FL: Taylor Haddock
- GA: David Ostrander; Denise Mathews
- ID: Fernando Castro
- KS: Brenda Dreher
- KY: Jennifer Mayes/David McMahan
- ME: Alex Netten
- MI: Steve Gobbo/Tom Novak/ Tom Dyke
- MO: Melanie Madore/Beth Thompson
- ND: Bruce Pritschet
- NV: Leticia Metherell
- NM: Gil Mendoza
- OH: Jane Lengel
- OK: James Joslin/Scott Chisholm
- OR: Jeff Akin/Frank Miles
- PR: Lourdes Borres Otero/Myra Hernandez
- RI: Jim Dube
- WV: Meghan Shears
- Angela Anderson/Chris Taylor

National Forum for Background Checks

Forum Webinar

May 10, 2018

AHFSA
Association of Health Facility Survey Agencies
Monitoring the health care of a nation.

Webinar Purpose and Desired Outcome

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

13:30 - 13:37   Roll call and welcome to new participants

13:37 - 13:45   Quick hits and CMS/CNA Update

13:45 - 13:50   NBCP NAR Update

13:50 - 14:00   Forum/AHFSA conference update

14:00 - 14:28   Program monitoring: take 3 minutes to describe how you monitor the performance of your program

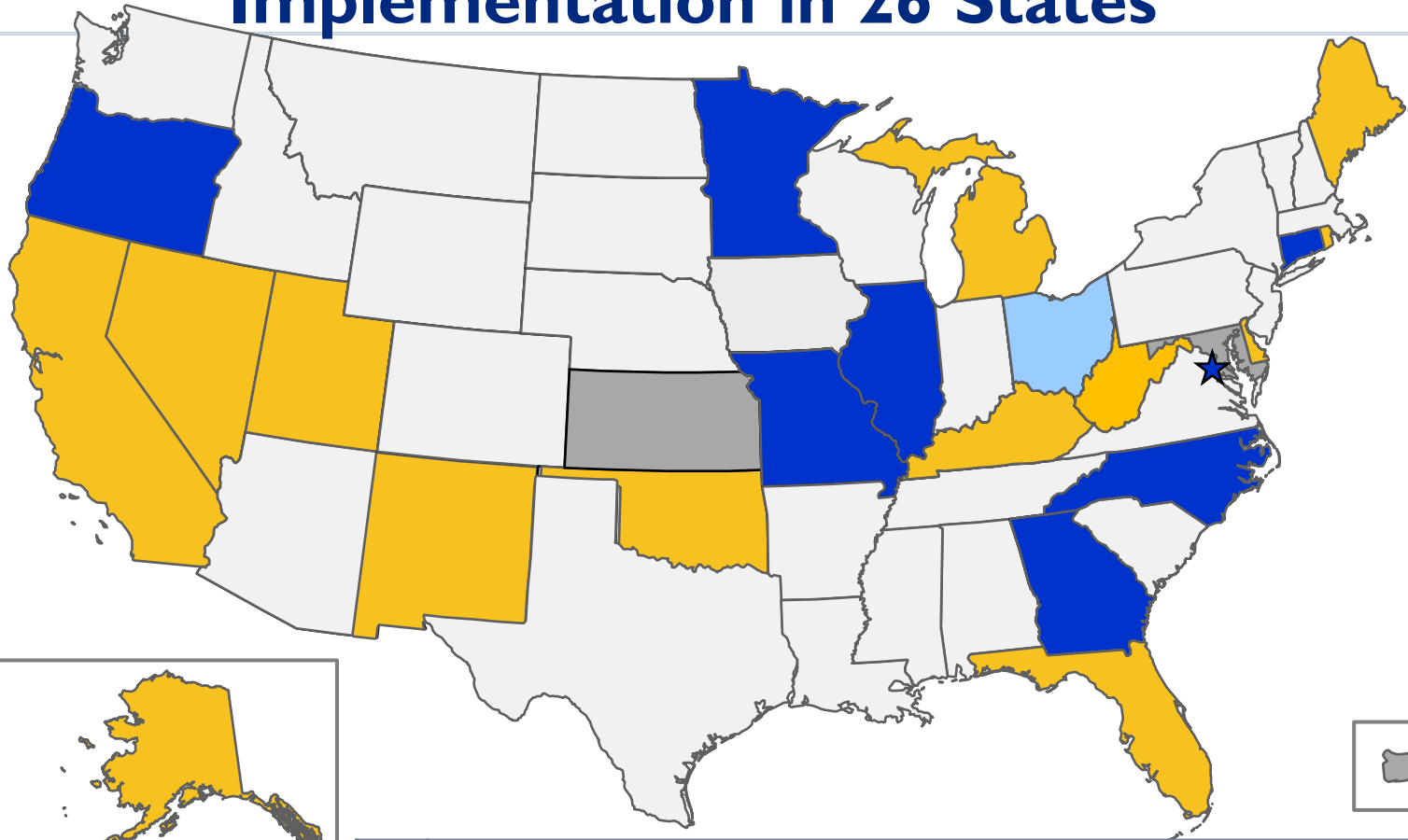14:28 - 14:30   Wrap-up: critical questions & next steps

Quick Hits

▸ Forum Minutes at Website: **http://www.ahfsa.org/NBCP**

▸ Legislative Updates – Kansas

▸ CMS Update – Don Howard

    ▸ Grant funds for AHFSA Conference

▸ CNA Update – Liz Rastrick

NBCP TA Contract Updates

- **NBCP State Status**
  - 3 New States
  - Still awaiting award
- **Voluntarily Data Submission**
  - 19 Graduated States
  - 15 Submitting
- **Resources**
  - Updating, consolidating several resources papers
  - New legislative resources page
    - Hyperlinks to State legislation
    - Capturing milestones
- **CNA & Forum Activities**
  - Planning for AHFSA
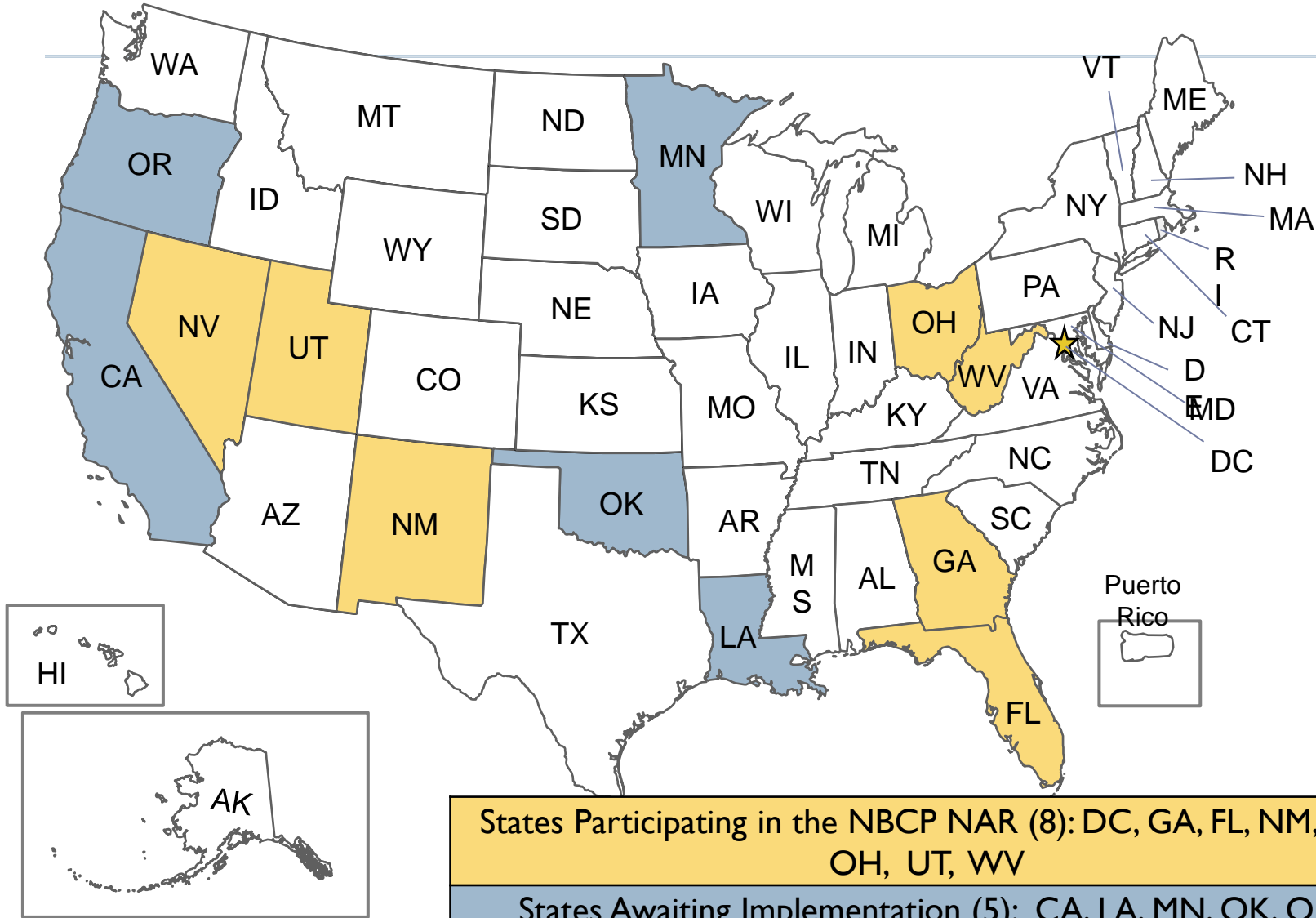
National Background Check Program Implementation in 26 States

States in Planning & Development: KS, MD*, PR

States in Pilot Phase: HI

State Live w/Implementation of Registries and Rap Back: **OH** (not integrated)

States Live w/Implementation of Registries and Integration of Criminal History Record Information (CHRI): CT*, **DC***, **GA**, IL*, MO* (name-based), MN, NC*, **OR**

States Live w/Implementation of Registries, Integration of CHRI and Statewide Rap Back: AK*, **CA***, DE*, **FL***, KY* (voluntary), ME* (name-based), MI*, **NM***, **NV***, **OK***, RI*, **UT***, **WV***

*= State Graduated from NBCP   **Bold= NBCP Nurse Aide Registry State**

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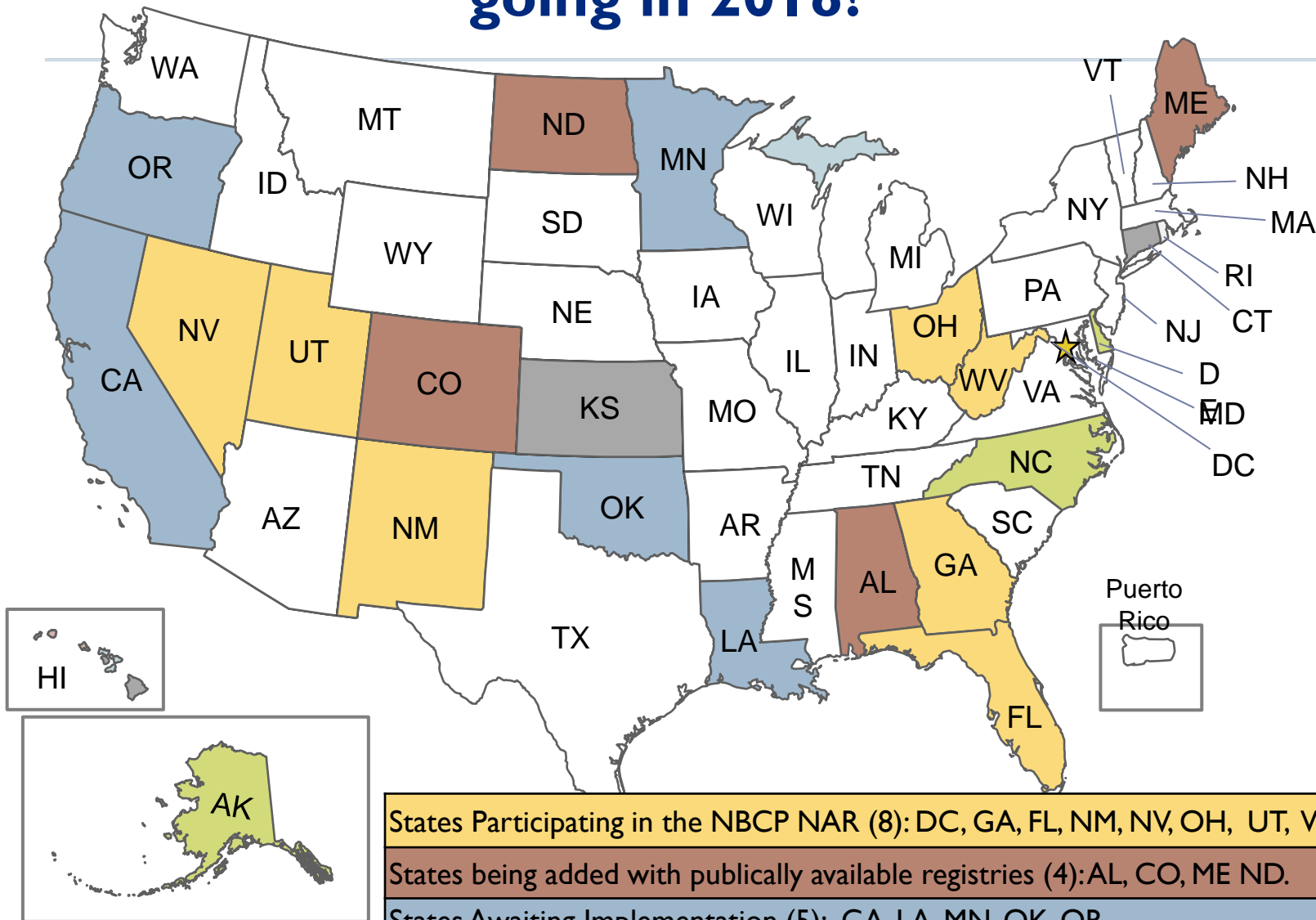*Monitoring the health care of a nation.*

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 (5): CA, LA, MN, 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 (4): AL, CO, ME ND.

States Awaiting Implementation (5): CA, LA, MN, OK, OR

States Planned for Development This Year (3): CT, HI, KS

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

NBCP Nurse Aide Registry – Impact

State	Match Count March 2018	Call Count March 2018	Match Count April 2018	Call Count April 2018	Match Count Total 8/4/17-4/30/18	Call Count Total 8/4/17-4/30/18
DC	0	1,547	0	1,294	49	13,359
FL	42	43,928	34	32,335	37,124	274,175
GA	0	304	0	309	25	2,876
NM	0	9,835	2	7,806	184	79,339
NV	1	3,762	0	3,681	1	7,443
OH	1	4,763	8	4,420	75	26,454
UT	4	3,433	13	3,815	213	32,616
WV	6	2,494	0	10,703	176	39,632
Totals	53	70,066	57	64,363	37,847	475,894

*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,

Applicant License Verification

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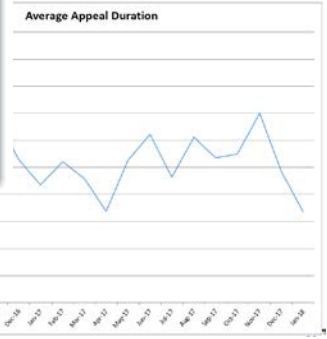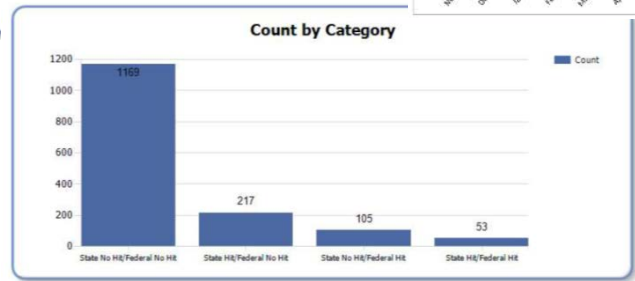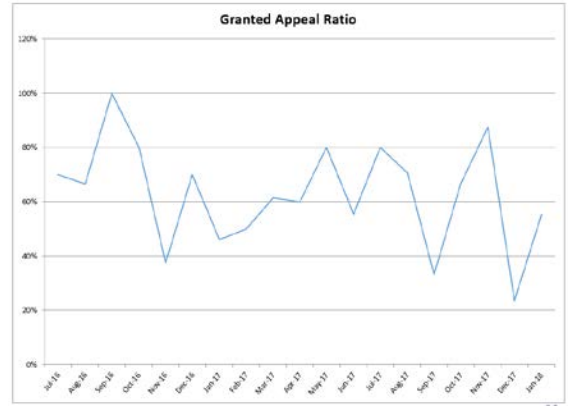- How are you incorporating new multi-state licenses for nurses?
- NURSYS.COM

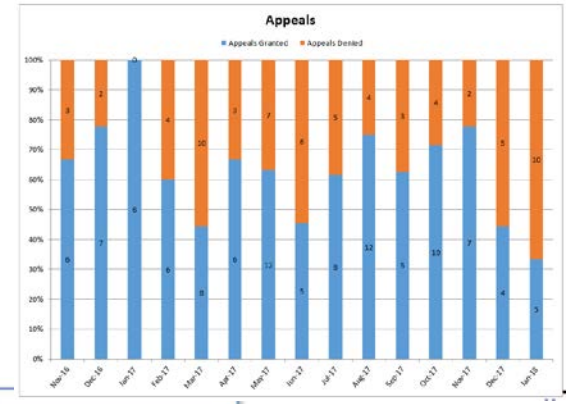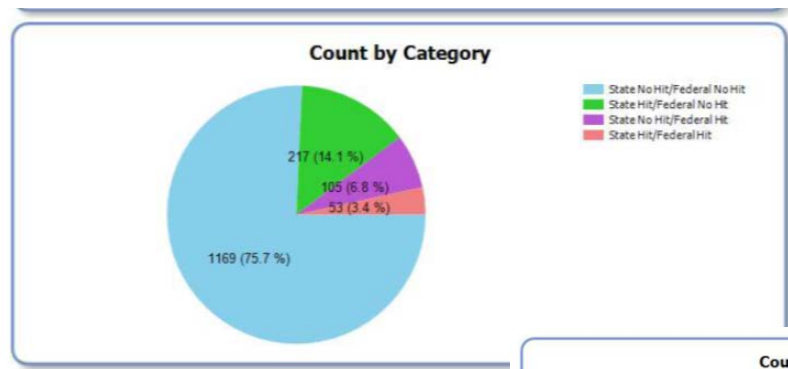# Forum Track at AHFSA Conference

▸ Taylor Haddock – Florida

▸ Where: Tigard, Oregon; Embassy Suites

▸ When: September 23rd through 26th.

▸ 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

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Program Monitoring

▸ Take 3 minutes to describe how you monitor the performance of your program

Critical Questions & Next Steps

▸ Critical questions

▸ Next steps/action items

▸ Next Webinar: May 10, 1:30 p.m. CST