



SAN MATEO COUNTY HEALTH
**BEHAVIORAL HEALTH
& RECOVERY SERVICES**

DATE: April 21, 1998

BHRS POLICY: 98-14

SUBJECT: Fingerprinting of BHRS Providers

AUTHORITY: 42 C.F.R. 438.214, DHCS Information Notice 18-019, County Resolution No. 55186; National Child Protection Act of 1993 as amended to include People with Disabilities and the Elderly (1994); BHRS Policy 03-20, Organized Health Care Arrangement (OHCA)

SCOPE: BHRS owned and operated programs, contracted provider agencies and individuals providing federally funded services.

AMENDED: December 16, 1998; December 15, 2003; February 10, 2010; December 14, 2011; January 8, 2020 (Renamed and revised)

BACKGROUND:

- A. County of San Mateo personnel policies require pre-employment fingerprinting and background checks on all prospective employees, whether filling ordinance or extra-help positions, whose work requires a face-to-face relationship for the care and/or security of consumers and/or families, or who have access to County funds. Also included are other members of the workforce, including but not limited to interns, trainees, mental health counselors, peer support workers, community workers and volunteers working for, or contracted with, Behavioral Health and Recovery Services (BHRS).

A purpose of this policy is to extend, for BHRS, the conditions of County Resolution No. 55186 to include all other individuals (as described above) who work at County-owned or operated sites or who otherwise serve clients as part of the BHRS workforce.

- B. Fingerprinting requirements have been adopted by the various licensing boards. Those covered by the Board of Behavioral Sciences (BBS), which includes MFT's and LCSW's, and all nurses who are licensed by the Board of Registered Nursing are among those who have additional requirements. While the responsibility to obtain fingerprints as indicated lies

with the individual professional practitioner, a purpose of this policy is to confirm those expectations herein.

- C. Department of Health Care Services (DHCS) requires that all BHRS providers be verified to be in good standing with the Medicaid/Medi-Cal programs and that any provider excluded from participation in Federal Health Care programs, including Medicare or Medicaid/Medi-Cal may not provide services to beneficiaries. This includes providers in county-owned and operated programs, contracted organization providers, provider groups, and individual practitioners. Fingerprinting is BHRS's method of determining that the individual who is being screened is verified.

POLICY:

- A. All BHRS staff, including mental health counselors, community workers, peer counselors, family partners, interns, trainees, and volunteers, working in county owned and operated programs or contracted provider programs, whose work requires a face-to-face relationship for the care and/or security of consumers and/or families, or who have access to County funds, must agree to fingerprinting. BHRS must receive the fingerprinting result information prior to these individuals' first day of work.

- Interns and Trainees

For the purposes of this policy, intern/trainee means an individual in a supervised clinical placement prior to obtaining a Master's or Doctoral degree in a behavioral field of study.

Most interns/trainees will qualify for an extra-help position within BHRS and, therefore, are included in County Resolution 55186, and will be fingerprinted as a condition of applying for employment. The intern/trainee coordinator is responsible for assuring that these staff are appropriately identified and hired in sufficient time for fingerprinting to clear prior to work with clients.

- RN classifications

All RN students/interns require fingerprinting, which will occur in the following manner:

- RN practicum students (pre-Bachelor's degree) may, upon consultation with the Deputy Director of Adult Services, be allowed to have fingerprinting assured by the placing college or university with whom BHRS has a current MOU.
- All other nursing students/trainees, including but not limited to licensed RN's pursuing higher degrees and/or Nurse Practitioner Certifications (from institutions of higher learning with whom BHRS has an MOU) also are required to be fingerprinted as a condition of placement with BHRS. Fingerprinting shall be done

using the same procedures as for County staff. BHRS will assume the costs of this process.

- Community Workers, Peer Support Workers, Family Partners

Supervisors of these staff members shall assure that the fingerprinting procedure has been followed. These staffing categories applying for positions within BHRS are included in County Resolution 55186 and will be fingerprinted as a condition of applying for employment. Paid Vocational Rehabilitation Services trainee personnel shall have the fingerprinting process arranged and paid for through that service.

- Volunteers

For the purposes of this policy, volunteers include, but are not limited to, peer counselors, community workers, family partners, licensed, waived or registered clinicians, and administrative staff. Volunteers may not begin work in an affected position until BHRS has received the volunteer's fingerprinting results and reviewed the information.

Volunteers whose placement involves a face-to-face relationship with clients or access to County funds shall have fingerprinting done using the same procedures as for County staff. Volunteers will be expected to complete an application form similar to that required for employment to facilitate BHRS assuming the costs of this process.

Supervisors shall explain the fingerprinting procedure to all prospective volunteers during initial interviews held to determine the volunteer's suitability for work in BHRS. Supervisors shall consider the costs/benefits of the volunteer placement before initiating the fingerprinting process with the payroll/personnel specialist. Volunteers with limited time availability or unable to make a service commitment for a significant period of time may not be ideal candidates for work in our system.

- B. Independent contractors who are participants in the Behavioral Health Organized Health Care Agreement (OHCA) in our Private Provider Network (PPN) are licensed practitioners subject to scrutiny, including fingerprinting, by their licensing boards. This fingerprinting policy does not apply to these individuals.
- C. For contractor agency providers who are not eligible to register, or receive, Department of Justice background clearance information, arrangements can be made through BHRS Contracts Manager for San Mateo County to process these requests. If the screening produces a negative finding, the Quality Manager, Compliance Officer, and the Contracts Manager will review the findings to make a determination. These findings will be presented at the next following Credentialing and Compliance Committee Meeting.

D. Information received by BHRS concerning prior criminal history information will be held confidential. For every category of members of the workforce, the Credentialing Committee and/or the Compliance Committee will evaluate any negative information in terms of its relationship to the duties of the position and whether or not a specific conviction will affect the qualification of the potential provider, intern, trainee, peer counselor, family partner or volunteer for the position. The nature of the conviction, how recent, severe and repetitive the conviction(s), and the disclosure of the facts surrounding the conviction by the applicant will be considered. A prior criminal history, of and by itself, will not always be grounds for a negative decision about establishment of a service relationship with an individual.

In the event of a finding recommending against placement, the individual may appeal this decision to the Behavioral Health and Recovery Services' Director.

Approved _____ *Signature on File*
Scott Gruendl, MPA
Compliance Officer

Approved _____ *Signature on File*
Scott Gilman, MSA
BHRS Director