

# Wisconsin's Federal Background Check Pilot

## Background

The Federal Medicare Modernization Act of 2003 created a pilot program to test whether establishing federal fingerprint-based background checks can reduce the incidence of abuse, neglect, and misappropriation of resident funds. The pilot also studies the new policy's affordability, feasibility and effectiveness relative to alternate strategies for abuse prevention as well as the occurrence of any unintended consequences, such as a reduction in the available workforce.

Wisconsin is one of 7 states to implement the pilot program. Wisconsin's program establishes a fingerprint-based background check process and provides abuse-prevention training to caregivers and managers in 4 pilot counties. The pilot covers the following provider types: Nursing Homes, LTC Hospitals, ICFs/MR, Hospices, Home Health Agencies, CBRFs (9 beds & up), Medicaid-funded PCW Agencies.

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## Fingerprint-Based Background Check Policy

**Timeframe:** January 1, 2006 – September 30, 2007

**Counties:** Kenosha and La Crosse Counties begin February 1, 2006; and  
Dane and Shawano Counties begin March 1, 2006

### **Process:**

1. Caregiver fills out the Background Information Disclosure Form
2. Provider queries the three free systems:
  - Wisconsin Caregiver Misconduct Registry
  - Other state nurse aide registries, if appropriate
  - OIG Exclusion List
3. Provider runs Caregiver Background Check state name-based search on WI DOJ's Criminal History website.
  - Search includes DHFS letter with DHFS/DRL governmental finding and licensure information
4. Provider sends caregiver to be fingerprinted
  - Division of Gaming will serve Kenosha and Dane Counties on a drop-in basis.
  - Promissor will serve LaCrosse, and Shawano Counties. Scheduling via a toll-free number or internet site.
5. Caregiver attends fingerprint appointment
6. Digital fingerprint record is transmitted to WI DOJ for state and federal fingerprint search.
  - Results are posted to the provider's account on the WI DOJ's Criminal History website
7. Provider makes final hiring decision

**Fees:** DHFS will use pilot funds to cover the state and federal fingerprint fees. Providers subject to the existing caregiver law will continue to pay the name search fees.

**Fitness Determination:** Caregiver Law Offenses List, HFS 12 Appendix A; Federal barring offenses described in section 1128(a) of Social Security Act (42 U.S.C. 1320a-7)

**Technical Training:** Technical training will be provided in each county 4-6 weeks prior to pilot implementation

## Abuse/Neglect Prevention Training

**Timeframe:** January 1, 2006 – September 30, 2007

**Counties:** Dane, Kenosha, LaCrosse, and Shawano

**Fees:** None

**Location:** Training sessions will be provided in each of the pilot counties

Experiential training will give participants a unique opportunity to learn by "walking in the shoes" of another member of the long-term care community. Workshops will also provide strategies for behavior and interventions related to abuse prevention.

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## Reporting and Evaluation

**Timeframe:** January 1, 2006 – September 30, 2007

**Counties:** Dane, Kenosha, LaCrosse, and Shawano

**Evaluation:** The federal evaluation will study the impact and effectiveness of background check pilot

**Data Collection:** Providers in the pilot counties will gather information regarding the entity's hiring process throughout the pilot period.

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## Grant Use

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|---------------------------|------------------|
| Background Check Policy   | \$1,500,000      |
| Abuse Prevention Training | <u>\$858,260</u> |
| Total Federal Funds       | \$2,358,260      |

The pilot funds will be used to:

- ✓ Enhance DOJ's Criminal History website to distribute fingerprint-based results
- ✓ Cover costs of fingerprint scanning
- ✓ Cover the costs of the FBI background checks
- ✓ Cover the costs of name-based searches for PCW agencies
- ✓ Provide technical training to pilot counties
- ✓ Provide abuse and neglect prevention training in pilot counties

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## Website

For more information, see the Pilot website:

<http://dhfs.wisconsin.gov/caregiver/fedBCpilot.htm>