



# What Providers Need to Know About Caregiver Background Check Requirements

This information was developed by the Wisconsin Department of Health Services (DHS) – Office of the Inspector General (OIG) to help educate providers on federal and state program requirements. Featured topics include the rules and regulations that providers must follow, as well as program guidance, best practices, and helpful resources to support program participation efforts.

## Overview

Personal Care Services (PCS) provide eligible Wisconsin Medicaid members with physician-ordered, hands-on assistance for specific tasks in the comfort of their home. These essential services enable members to live in their community safely and independently, as long as possible. The OIG offers this fact sheet to help further educate providers about Wisconsin Medicaid program caregiver background check requirements.

## Program Requirements

Wisconsin Medicaid program caregiver background check requirements are authorized under Wis. Stat. § [50.065](#) and Wis. Admin. Code §§ [DHS 12](#) and [DHS 105.17\(1n\)\(a\)3](#). To learn more about these requirements, please visit:

<https://www.dhs.wisconsin.gov/misconduct/backgroundchecks.htm>

According to Wis. Stat. § [146.40\(4r\)\(am\)](#), treatment providers and PCS agencies are required to report any allegations of member abuse or neglect or the misappropriation of the member's property. Allegations should be reported using the Misconduct Incident Reporting system, which is managed by the DHS Division of Quality Assurance (DQA) and is available at:

<https://www.dhs.wisconsin.gov/misconduct/mir.htm>



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Providers play a vital role in protecting Medicaid members by following caregiver background check requirements.

## Provider Certification

Providers must complete the two required background checks below for all caregivers, including personal care workers and nurses, at the time of hire and at least every four years during their employment:

- 1. Caregiver Background Check**
- 2. Criminal Background Check**

In addition, completed background checks must be retained in agency files and reviewed by providers to identify possible convictions that prohibit individuals from working as caregivers. Providers also should check the Wisconsin Misconduct Registry for monthly updates at:

<https://www.dhs.wisconsin.gov/misconduct/registry.htm>



## Rehabilitation Review

Individuals with misconduct findings or certain convictions affecting their eligibility to work as caregivers may apply for Rehabilitation Review through DQA. Before providers may hire individuals with prohibited offenses, the review process must be completed and approved by DQA. For more information, please see:

<https://www.dhs.wisconsin.gov/misconduct/rehabilitationreview.htm>

## Did you know?

Wisconsin Medicaid members were prescribed \$206.1 million in Personal Care in 2021, which includes:

- \$196 million for PCS.
- \$8 million for travel time.
- \$2.1 million for supervisory nurse visits.

## Protect Members

Any person may report the abuse or neglect of a member or the misappropriation of a member's property by an employee or contractor of a Wisconsin Medicaid provider. For details and to make a report, please visit:

<https://www.dhs.wisconsin.gov/misconduct/reporting.htm>

## Background Check Facts

- Caregivers with prohibited offenses are not allowed to provide care to Wisconsin Medicaid members.
- Providers must ensure continuity of care when a caregiver with prohibited offense must be removed from serving members.
- DQA may review background checks to ensure providers follow requirements.
- Background checks cannot be waived, even if the caregiver is a family member.
- Members may not sign a waiver allowing prohibited caregivers to provide care.

## Get Help

Providers with questions about Wisconsin Medicaid program caregiver background check requirements should call Provider Services at 800-947-9627.



## Contact Us

- For OIG audit assistance, please contact the staff person listed on your audit letter.
- The OIG encourages everyone to report suspected fraud at 877-865-3432 or [www.reportfraud.wisconsin.gov](http://www.reportfraud.wisconsin.gov).



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