

DEPARTMENT OF DEVELOPMENTAL SERVICES

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November 4, 2019

TO: REGIONAL CENTER EXECUTIVE DIRECTORS

SUBJECT: SELF-DETERMINATION SERVICE PROVIDER BACKGROUND
CHECKS

The purpose of this correspondence is to identify the providers of services and supports who must obtain a criminal background check in order to provide services for consumers in the Self-Determination Program [Welfare and Institutions (W&I) Code §4685.8(w)]. This correspondence, with the additional information below regarding the background check process, supersedes the September 24, 2015, memo on this subject.

The following individuals are required to obtain a criminal background check:

- Providers who provide direct personal care services (assistance with dressing, grooming, bathing or personal hygiene services); and,
- Any other provider of services for whom a criminal background check is requested by a participant or the participant's financial management service.

W&I Code §4685.8(w) notes that background checks for the Self-Determination Program shall be administered consistent with the process described in W&I Code §4689.2 to 4689.6 applicable to family home agencies (FHA). Section 4689.2 indicates that a full criminal history must be obtained from the Department of Justice and, if applicable, the Federal Bureau of Investigation (FBI). Consistent with the background check process for FHAs, information from the FBI must be obtained for individuals who have not resided continuously in California for the last two years [see Title 17, California Code of Regulations §56085(b)].

The participant's financial management service provider will assist applicable service providers in this process by directing them to appropriate locations where fingerprints can be taken. As a reminder, the cost for fingerprinting is the responsibility of the service provider.

“Building Partnerships, Supporting Choices”

Regional Center Executive Directors

Page two

If there are any questions regarding the criminal background check requirements, please email sdpbackground@dds.ca.gov.

Sincerely,

Original signed by:

JIM KNIGHT
Deputy Director
Federal Programs Division

cc: Regional Center Administrators
Regional Center Chief Counselors
Regional Center Community Services Directors
Association of Regional Center Agencies
State Council on Developmental Disabilities
Disability Rights California
Self-Determination Program Advisory Group