

**PROVIDER ADVISORY #2020-006**  
**NAME-BASED CRIMINAL HISTORY CHECKS**

**ACTION REQUIRED**

**EFFECTIVE DATE: IMMEDIATELY THROUGH THE EXPIRATION OF THE EXECUTIVE ORDER 20-52**

The Agency for Persons with Disabilities (APD) and its providers must comply with Level 2 background screening requirements pursuant to sections 393.0357, 393.0655, 393.066, and 435.03 Florida Statutes (F.S.). Due to the effects of the Novel Coronavirus Disease 2019 (COVID-19), the state is experiencing a shortage in available fingerprinting locations needed to comply with these requirements. The Florida Department of Law Enforcement (FDLE) has received approval to allow name-based criminal history Checks for providers and employees of APD to assist in background screening requirements during the emergency.

During the COVID-19 emergency, providers must continue to maintain their Clearinghouse profiles and roster. If a potential employee has already been screened in the Clearinghouse by a participating provider, and if their fingerprints are not expired, providers may complete an agency review or rescreening to comply with current level 2 background screening requirements and timeframes.

Providers in need of background screenings for their current employees with expired fingerprints or for potential employees who have not previously been screened in the Clearinghouse may be experiencing difficulties with finding a Livescan vendor to submit the individual's fingerprints. In these situations, the provider may complete a Name-Based Criminal History Check for a temporary solution to fingerprint background screenings. The results of this name-based criminal history check will contain state and national criminal history based upon demographic information for review under the Level 2 background screening standards. Providers will need to submit fingerprints for each individual screened under this name-based search within 30 days of the expiration of the Executive Order 20-52.

Providers are responsible for ensuring a name-based criminal history check is completed on all potential employees or current employees with expired fingerprints in the Clearinghouse. Instructions for providers on how to request the name-based criminal history check are below:

1. Provider requesting the name-based criminal history check will have potential or current employee obtaining a name-based criminal history check sign the Applicant Privacy Rights Statement. Requestors will need to have the signed Applicant Privacy Rights Statement in their records for each individual screened.
2. Requestor will visit the Background Screening page on the Florida Department of Children and Families (DCF) website to request a name-based criminal history check.
  - a. Visit <https://www.myflfamilies.com/service-programs/background-screening/>
  - b. Click on "Name-Based Criminal History Search" located in the Online Services menu.
3. For "Purpose for Request," select "Agency for Persons with Disabilities-Employment."
4. Requestor will need the following information available:
  - a. Applicant's full name, alias(es) names, date of birth, Social Security number, race/ethnicity, sex, facility name, and facility OCA number
  - b. Complete the reCAPTCHA feature and click "Send."

April 20, 2020

- c. Once the form is submitted correctly, DCF will submit the requested information to FDLE for completion of a state and national name-based criminal history check.

DCF will receive the results from FDLE by email. When the results are received, they will be reviewed, and a Conditional Clearance Letter will be issued. Once a Conditional Clearance Letter has been issued, the applicant may be employed in a position normally requiring a Level 2 background screening, pending traditional fingerprinting of the employee. Level 2 screenings requirements must be met, and employees' fingerprints must be submitted for review through the Clearinghouse within 30 days of the expiration of the Executive Order 20-52 for any individual screened under the Name-Based Criminal History Check.

For assistance with requesting the name-based criminal history check, please call the DCF Helpdesk at 1-888-352-2849.

Attachment:

*Applicant Privacy Rights Statement*