

Provider Bulletin #15-04
Philadelphia Behavioral Health System
Community Behavioral Health
Changes to Requirements for
Clearances and Criminal Background Checks
September 14, 2015

Effective October 15, 2015:

All required* Clearances and Criminal Background Checks must be obtained before the commencement of employment or service, and updated every three (3) years.

This replaces the previous CBH requirement that all required Clearances and Criminal Background Checks be updated every two (2) years.

Instructions and links to apply for these clearances can be found at:

<http://www.dhs.state.pa.us/findaform/childabusehistoryclearanceforms/index.htm>

***Requirements:**

Pennsylvania Criminal History Checks:

(SP4-164)

Required for all personnel in all programs

Pennsylvania Child Abuse History Clearances:

(CY113)

AND

Federal Bureau of Investigation (FBI) Criminal Background Checks for Children's Services:

(PA Department of Human Services through Cogent)

Required for personnel in the following programs:

- Residential Treatment Facilitates
- Behavioral Health Rehabilitative Services
- School Therapeutic Services
- Family-based programs
- All programs serving children
- All personnel who provide care, supervision, guidance or control of children, or routine interaction with children
- All personnel with a likelihood of having contact with children. (All staff working in a program that provides services to, or have regular contact with children, regardless of whether or not they have children on their caseload.)

FBI Criminal Background Checks for Out of State Residents:

- An FBI Criminal Background Check is also required of any person who is not a resident of Pennsylvania, or has not been a resident of Pennsylvania for the entire two (2) years immediately preceding employment application.
- If the employee is an out of state resident at hire, and subsequently remains an out of state resident, an FBI Criminal Background Check will be required at hire and updated at least every three (3) years respectively.

Provisional Hiring:

Individuals may be employed or contracted for a single period, not to exceed ninety (90) days if all of the following conditions are met:

- The applicant has applied for the required clearances and the applicant provides a copy of the completed forms to the provider.
- The employer has no knowledge of information pertaining to the applicant which would disqualify the applicant from employment.
- The applicant swears or affirms in writing that the applicant is not disqualified from employment pursuant to the grounds for denying employment in § 6344 (c) or has not been convicted of an offense of a similar nature to those crimes under the laws or former laws of the United States, or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.
- The applicant is not permitted to work alone with children and must work in the immediate vicinity of a permanent employee who has the required clearances.

(Pennsylvania General Assembly Act 153 of 2014 amended Title 23 § 6344 of the Child Protective Services Law)

(Pennsylvania Department of Human Services, Employees Having Contact with Children Frequently Asked Questions, January 16, 2015)