

Criminal Record Review Sample Policy

1. In accordance with **9 CSR 10-5.190** all new applicants for employment or volunteer positions involving contact with Consumers supported shall be required to:
 - Sign a consent form authorizing a Criminal Record Review with the Highway Patrol and a Background Check with the Department of Social Services to determine whether the employee is listed on the Division of Aging Employment Disqualification List (EDL), as well as Department of Mental Health, using the Family Care Safety Registry.
 - Disclose his/her criminal history, including any conviction or a plea of guilty to a misdemeanor or a felony charge and any suspended imposition of sentence, any suspended execution of sentence or any period of probation or parole; and
 - Disclose is he/she is listed on the EDL of the Division of Aging.
2. [The consent form shall be initiated before the employee has contact with the consumers.](#)
3. Where members of the Provider's household who have contact with Consumer's supported the same Policy applies. This does not apply to minor children in the household.
4. All information obtained shall be kept in the strictest confidence and shared only with those entities authorized.
5. Any Criminal Record Review which excluded a person from services as outlined in Section eight (8) of **9 CSR 10-5.190** or whose name is on the EDL, shall be immediately terminated by the Agency.
6. If a Criminal Record Review excludes a family member as outlined in Section eight (8) of **9 CSR 10-5.190** or the family member is on the EDL, the Consumer supported shall immediately be removed from the household.
7. _____ shall not hire any person who has committed a disqualifying crime, unless the person received an exception from the department. _____ retains the discretionary authority to deny employment to person who-
 - A. Have committed crimes not identified as disqualifying;
 - B. Have received an exception from the Exceptions Committee; or
 - C. Have received a verdict of Not Guilty by Reason of Insanity.

Administrator

Date