

Health & Welfare Criminal History & Background Check Agency Guide

Criminal History Unit Website
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Why is a background check needed?

All persons petitioning to be appointed as a guardian & conservator of an incapacitated adult are required to complete a fingerprint-based Department Criminal History and Background Check in accordance with I.C. 56-1004A.

Will this background check meet the Certified Family Home program requirements?

No. The court required background check is not the same as the one required for Certified Family Home. A separate background check is required for anyone that wishes to participate in the Certified Family Home program. Contact the Certified Family Home department for further information on their requirements:
www.cfh.dhw.idaho.gov.

What does the application for a criminal history and background check ask?

The application is a self-declaration of the person's criminal background and other relevant records. All criminal history items the applicant has, must be self-disclosed. This includes juvenile and adult records, such as arrests, convictions, dismissals and/or withheld judgments. They are asked a series of questions about themselves regarding any negative findings, complaints or actions against them in any child or adult protection action, if they have any pending crimes or warrants or any other relevant record. Their notarized signature on the application gives the Department authorization to conduct the background check and the right to share certain information with entities on a need to know basis. Also, it affirms the information they provided is correct. Failure to disclose any items pertaining to their record, may result in criminal prosecution for perjury.

Agency Registration:

You must register as an agency before any person can apply. The system requires that you have an agency identification number to have background checks processed. Without it, the system will not let the applicant complete the application. By registering as an agency, you can do the following:

- Select the guardian & conservator service to denote the type of background check to be processed
- Modify or update your agency's contact information
- Search for applicants & information
- Print background check results letter

How to Register as an Agency:

- Go to <https://chu.dhw.idaho.gov>. Access to a computer with internet is required.
- Click on "REGISTER/LOG ON" in the upper right-hand corner of the screen.
- Click on the "REGISTER AGENCY" link.
- Create a username and password for your agency. Be sure to remember the username and password you created. If you forget the username or password, contact the Criminal History Unit for assistance.
- Complete all required fields on this screen.
- For type of service, select "Court Appointed Guardians / Conservators (IAW I.C. 15-5 Part 3 and I.C. 66 Part 4)".
- Include a brief description of services in the "description of services" text field.
- Once complete, click "CREATE" at the bottom right-hand corner of the screen.
- After we have reviewed and approved the request, the system assigns an agency identification number and your agency is sent an email notification.
- This number can be found under "AGENCY INFORMATION" if logged on.
- Give the agency identification number to your applicants to use when completing a criminal history and background check application.

How much does it cost?

The standard fee for a guardian & conservator background check is \$65.00. The applicant is responsible for any additional costs incurred by the Department to complete the background check.

How do I know when the background check is complete?

If a valid e-mail address was provided, the website sends an e-mail to the agency anytime an applicant's background check status changes. If an e-mail address was not provided, you will have to check the website periodically for the status of the background check. If any action is taken, other than completion, your agency will be notified by mail.

Agency Responsibilities:

- Provide applicants with the agency identification number, service type and contact person to select.
- Assist applicants in submitting their application.
- Review and print the background check results letter.
- Know how to navigate the website as the agency

Frequently Asked Questions:

Why can't a Guardian/Conservator background check be used by the Certified Family Home?

In 2013, when Idaho changed existent laws to require the completion of a Health & Welfare background check as a required step in the appointment of Guardians or Conservators, the FBI assigned a specific fingerprint reason to Health & Welfare to complete the Guardianship / Conservatorship background checks. This reason is different than the one assigned for a Certified Family Home. Therefore, a separate set of fingerprints must be submitted for each type of background check. Due to this federal requirement, the Department is in fact completing two separate and distinct background checks. The Department is obligated by federal law to do so.

It seems that the Department is charging twice for doing the same thing. What is the difference?

While it appears that the Department is charging twice for completing the same task, it is not. When the Department conducts a background check in support of the Guardianship/Conservatorship process it is doing nearly identical work as it would for a Certified Family Home background check. The difference lies in the fact that the Department does issue a clearance or denial for the Certified Family Home program. The Department does not issue a clearance or denial for the Guardianship/Conservatorship process. The Department is in fact excluded by law from making fitness decisions on Guardianship/Conservatorship situations. Since a Guardian/Conservator background check may reveal records that would otherwise disqualify the person from passing the background check for a Certified Family Home, the results of a Guardianship / Conservatorship background check cannot be used for the Certified Family Home program and vice versa.

The cost of both the Guardianship/Conservatorship and the Certified Family Home processes are substantial. Is there any relief available for those that are seeking both?

The Department is sensitive to the costs of these processes. Therefore, the Department is willing to waive the fee for one of the background checks only if they are being done simultaneously. If a person completes one background check, and then initiates another one later, the Department will charge the fee for the second one. The Department recommends that any person that is considering the Certified Family Home program as an option, contacts the Criminal History Unit for further instructions.

If I choose to have both background checks done at the same time, what should I do on the Department website?

If a person chooses to have both background checks done, they must have two different applications in the Department's website. The Department needs to submit one set of fingerprints for each background check. For technical reasons, this can only be done with separate applications in the Department's website. One application should have the Guardian/Conservator agency identification number linked to it. The second application will reflect the Certified Family Home agency identification number. If a person uses both agency identification numbers in one application, one of them will be removed and the applicant will be asked to apply for a second background check on the website.

Do I need to schedule two separate fingerprint appointments if I choose to have both background checks done?

No. The Department can take two sets of fingerprints at the same appointment as long as the Guardian/Conservator background check application is submitted first. The Department technician will collect the fee of one criminal history and background check during the appointment. If the Guardian/Conservator application was not submitted first, the applicant will be asked to re-apply and schedule another appointment and the fee will not be waived for the second application.

I am mailing my application in. What other helpful tips do you have?

If you are submitting your background check materials in the mail, you must include the required items below:

1. A copy of the signed and notarized self-disclosed application printed in its entirety
2. Two (2) completed fingerprint cards per background check application (total of four)
3. The applicable fee as displayed on your application status page.