

Health & Welfare Criminal History & Background Check Agency Guide

Criminal History Unit web site

<https://chu.dhw.idaho.gov>

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Why is a background check needed?

The law now requires all persons appointed as guardians or conservators of individuals with a developmental disability and guardians for incapacitated adults to have a Department of Health & Welfare background check.

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 licensing. A separate background check is required for persons that wish to participate in the Certified Family Home with Health & Welfare. Please contact the Certified Family Home program for further information on their requirements: www.cfh.dhw.idaho.gov

How much does it cost?

The fee varies. Please refer to the application status page. It will reflect the fee to be paid by the applicant. Payment may be made with exact cash, check, money order, or credit/debit cards. When paying by credit/debit card, a convenience fee will be added to the transaction.

Agency Registration:

You must register as an **Agency/Employer** before any person can apply for this criminal history background check. You must know that this system was originally designed to complete background checks for employees. This type of background check is a special accommodation of the existing system. Please bear with us and know that the term **Employer** as used throughout the website is only used as a convention of the system. It is not to be considered as a representation that you are the employer of the applicant. The system architecture requires that you have an **"Agency/Employer's ID#"** 4-digit number in order to have background checks processed. Without it, the system will not let the applicant complete the application. By registering as an **Agency/Employer** you can do the following:

- Select the Guardian/Conservator services to denote the type of background check to be processed
- Modify and update your agency contacts information
- Look up or search information about the applicant
- Print background check results letters

How to register as an Agency:

- Go to the web site <https://chu.dhw.idaho.gov>. Follow the instructions at the home page. You will need to use a computer with access to the internet.
- Click on the **"NEW REGISTRATION"** and register as an **Agency/Employer**.
- Create your own user identification and password. Please make sure and remember this user identification and password. If you forget your credentials, you may contact the Criminal History Unit for assistance.

- After registering as an **Agency / Employer**, return to the home page and **"LOGON"** in the left sidebar menu to finish the agency registration.
- Logon as an **Agency/Employer** with your agency's user name and password.
- Click on the **"MY PROFILE"** link. The incomplete agency profile is shown. You must complete the following actions to be issued your agency's 4- digit **"Agency/Employer's ID#"**. In the **Agency/Employer** profile page you will see the **"SELECT SERVICES"** and **"SELECT CONTACTS"** buttons.
- Click on the **"SELECT SERVICES"** button to select the Court Appointed Guardians / Conservators (IAW I.C. 15-5 Part 3 and I.C. 66 Part 4). This will limit the selection of services for applicants to choose from when they apply for a criminal history background check.
- Click on **"SELECT CONTACTS"**: Identify the contact information of the individual(s) who should receive updates and information about an applicant's criminal history and background check. Applicants are required to select a contact when applying for a criminal history background check.
- Once these actions are completed, the system assigned employer identification number is displayed on the **"MY PROFILE"** webpage. Give this number to your applicants to use when completing a criminal history background check application.

What does the Application for Criminal History Background check ask?

The application is a self-declaration of the person's criminal background and other

relevant records. The system is going to ask the applicant to answer questions about themselves. They must disclose all criminal history items they have. This includes juvenile and adult charges, convictions, dismissals and withheld judgments. Additionally, they are required to indicate if they have ever been involved in a child or adult protection action or if they have any pending crimes or warrants. Their notarized Signature on the Application gives Health & Welfare the authorization to conduct the background check and the right to share certain information with the entity that is requiring you to complete the background check. It also affirms that the information they provided is correct. Failure to disclose their criminal record may result in criminal prosecution for Perjury.

How do I and my agency know when the background check is completed?

If you provide us a valid e-mail address in the contact information, the website sends out an e-mail to your agency each time the applicant's background check status changes. If you do not provide an e-mail address you will have to check the status of the background check on the web site periodically. If any action is taken, other than completion, you will be notified by mail.

Agency responsibilities

- Provide applicants with the 4-digit Agency/Employer ID #, service type and contact to select.
- Assist the applicant in submitting their application.
- Review and print background check results.
- Know how to use the web site 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 Guardianship / Conservatorship 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, apply for both at the same time in the Department website.

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 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 website. One application should have the Certified Family Home agency number linked to it. The second application should have the Guardianship / Conservatorship agency number. If a person uses both agency 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 the same appointment as long as both applications are submitted in the website on the same day. The Department technician will collect the fee for only one of the background checks during that appointment. If the applications were not submitted on the same day, the applicant will be asked to schedule another appointment and the fee will not be waived for the second application.

I am doing this in the mail, is there anything else I should know or do?

If you are submitting your background check materials in the mail, you must supply us with the required items. These are:

- The background check application printed in its entirety, signed and notarized,
- 2 properly completed fingerprint cards per application,
- The correct fee for each application.

Upon processing, the Department will check the submission date of each application on the website. If the dates are different, the Department reserves the right to process only one of them and reject the second one. The Department will process the second application if it's re-sent to the Department and it contains the required items listed above.