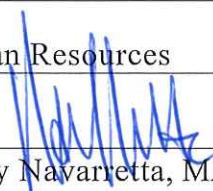
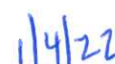




STATE OF CONNECTICUT
Department of Mental Health & Addiction Services
Commissioner's Policy Statement and Implementing Procedures



SUBJECT/POLICY NAME:	Background Record Checks for Purposes of Employment	
POLICY CHAPTER:	Human Resources	
APPROVED BY:		
	Nancy Navarretta, MA, LPC, NCC	Date
EFFECTIVE DATE:	DATE: 12/27/2021	
LAST REVISED DATE :	DATE: 12/27/2021	
POLICY OWNER:	DMHAS Human Resource Administrator	

STATEMENT OF PURPOSE:

This policy and procedure identifies the process used by the Department of Mental Health and Addiction Services (DMHAS) to complete criminal history records checks as part of background record checks of all applicants for employment who have been made an offer of conditional employment by the Department. Employment by the department shall be conditional until the results of both a state and national criminal history records checks are received and reviewed by the department pursuant to Section 17a-450c of the Connecticut General statutes.

This policy shall apply to all applicants who have been made an offer of conditional employment for any position within DMHAS.

DEFINITIONS:

"Applicant" means a person who has applied for a position at DMHAS and has been made an offer of conditional employment.

"Background record checks" or "Background checks" means the documentation of information collected by agencies on persons which consists of abuse and neglect acts, identifiable descriptions and notations of arrests, indictments or other formal criminal charges and any disposition arising from sentencing, correction supervision, and release unless such documentation has been erased pursuant to statute. Background record checks documentation comprises of information collected through national and state sources including the Connecticut Department of Emergency Services and Public Protection (DESPP/CT State Police), Connecticut Department of Children & Families (DCF), Connecticut Department of Developmental Services (DDS) and federal agencies on an applicant for employment with DMHAS.

"Conviction" means the final judgment on a guilty verdict or a finding of guilt, a plea of guilty, or a plea of nolo contendere, but does not include any final judgment that has been expunged by pardon, reversal, set aside or otherwise rendered null.

POLICY:

As part of its ongoing commitment to safety and positive outcomes for persons receiving services, the Department of Mental Health and Addiction Services hires persons who are fully vetted for any criminal, abuse and neglect acts that they may have committed prior to their application for employment with DMHAS.

Pursuant to Sec. 17a-450c: **Employment applicants and volunteers required to submit to state criminal background check and check of state child abuse and neglect registries;** the Commissioner of the Department of Mental Health and Addiction Services under the statute shall require that each applicant for an employment or volunteer position in the department submit to a state criminal background check, a check of the Department of Children and Families (DCF) child abuse and neglect registry established pursuant to section 17a-101k and a of the Department of Developmental Services (DDS) abuse and neglect registry established pursuant to section 17a-247b.

In addition, the Commissioner may require that any applicant for an employment or volunteer position in the department, who has resided outside this state submit to a national criminal background check. No applicant shall be hired or placed in a volunteer position by the department until the results of such checks are available.

In using state and national background checks as a condition for DMHAS employment, the department has stipulated that it will comply with all requirements set forth by the State Agencies, the State Police Bureau of Investigations and the Federal Bureau of Investigations for the access, handling, transmission, dissemination, storage, and destruction of criminal history records information.

PROCEDURE:

1. A Human Resource staff person shall advise the applicant, upon an offer of conditional employment by the department, that prior to a final offer of employment being made, background checks are required to be completed.
2. The applicant shall complete the background record check forms which include the following: DCF-3031, DMHAS Application Addendum, Driver consent form, DMHAS Release of Information Form and Human Resources Core Intake Form.
3. A Human Resource staff person shall process the applicant's completed background record check forms for the criminal, abuse and neglect background checks and send it to the following departments: DESPP (CT State Police), DCF and DDS.

4. A Human Resource staff person shall monitor the applicant's background check process for timely completion of the request.

5. The Human Resource Administrator or their designee shall receive an electronic version of the applicant's background record check results documents at a password protected e-mail address from the CT State Police, DCF and DDS. After the review of the documents, Human Resources shall delete the electronic version of the applicant's background record check results.

6. A Human Resource staff person shall compare the results of the applicant's background check with the information provided by the applicant on his or her background check forms.

7. If the documents received in either of the applicant's background checks include information on the applicant's criminal convictions, arrests, indictments, abuse, neglect or other formal criminal charges and any disposition arising from, sentencing, correction supervision, and release that has not been included in the applicant's application for employment or forms the applicant completed for background record check purposes, the DMHAS Human Resources Administrator or their designee shall review the discrepancies with the applicant.

8. The applicant will be provided with five (5) business days to dispute any information in their background record check that the applicant believes to be inaccurate. Information in support of the applicant's claim shall be submitted to the DMHAS Human Resources Administrator or their designee. If a determination is made by the Human Resources Administrator that the applicant has not accurately disclosed his or her criminal conviction history, the applicant's conditional offer of employment shall be rescinded.

9. If the applicant has reported any information on their criminal convictions, arrests, indictments, abuse and neglect or other formal criminal charges and any disposition arising from sentencing, correction, supervision, and release as part of their employment application, and this information is verified as fully accurate by the applicant's criminal history records check, a determination consistent with DMHAS policy and procedure shall be made by the Human Resources Administrator as to whether the applicant's conditional employment shall be rescinded or whether the applicant may (1) continue employment through the working test period; or (2) be made a final offer of employment.

10. The DMHAS Human Resources Administrator may review and approve any determination made by the Human Resource staff concerning an applicant's conditional employment based on their background record checks information that would result in: (1) a continuation of employment through the applicant's working test period; or (2) a final offer of employment; prior to the final offer of employment being made to the applicant.

11. If an applicant's background record check reveal that the applicant has been charged with or convicted of one or more felony offenses listed in the chart below, the DMHAS Human Resources Administrator shall immediately review and make a determination on the applicant's conditional employment status. The listed felony offenses generally are crimes against persons or crimes that hold potential for serious harm to individuals and their families.

List of Criminal Offenses Requiring Special Review Prior to an Employment Determination

Arson	Homicide
Assault or Related Offenses	Kidnapping or Related Offenses
Burglary or Related Offenses	Larceny, Robbery or Related Offenses
Child Pornography	Manslaughter
Conspiracy	Perjury or Subordination
Cruelty to Persons	Risk of Injury to a Minor
Domestic Violence	Sexual Offense
Drug Offenses	Stalking
Forgery or Related Offenses	Threatening
Fraud	Unlawful Restraint
Harassment	Weapons Violations

12. All background record checks forms completed and submitted by the applicant and received by DMHAS shall be maintained in paper copy in an administrative file separate from any department personnel files in accordance with applicable Security Policies.

REFERENCES: N/A

FORMS AND ATTACHMENTS: N/A