



STATE OF MICHIGAN

DEPARTMENT OF COMMUNITY HEALTH
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

JANET OLSZEWSKI
DIRECTOR

March 22, 2006

Dear Providers and Licensees:

The new background check requirements have now been signed into law and are effective April 1, 2006 for all new hires. Michigan Public Acts 26, 27, 28 and 29 of 2006 expands the requirements for criminal background checks for new employees at health facilities and agencies and adult foster care facilities, and for applicants for initial licensure or registration in health occupations.

Michigan Public Acts 27 and 28 of 2006 requires the following long term care health facilities or agencies to conduct criminal history checks:

- psychiatric hospitals
- ICF/MRs
- nursing homes
- county medical care facilities
- hospices
- hospitals that provides swing bed services
- homes for the aged
- home health agencies

Effective April 1, 2006, for all *new hires*, the licensees of these health facilities or agencies shall not employ, independently contract with, or grant clinical privileges to an individual who has regular direct access to or provides direct services to patients or residents until the health facility or agency conducts a criminal history background check. Direct access means access to a patient or resident or to a patient's or resident's property, financial information, medical records, treatment information, or any other identifying information.

In addition, Public Acts 27 and 28 stipulate that current employees, those under independent contract, or granted clinical privileges before the effective date are exempt from a criminal history background check. However, within 24 months, a set of fingerprints must be provided to the Michigan State Police. The process of collecting these fingerprints will not begin until August 2006. At which time, the department will communicate an orderly plan that will ensure that the process will be carried out in the most effective way possible.

By March 29, 2006, a secure letter will be mailed to all licensee holders that will contain the necessary codes needed to access the new web-based application designed to assist in conducting the necessary criminal background checks. If you do not have Internet access, you will receive further information upon receiving your access codes.

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To further assist you, included with this letter is a brochure that briefly describes the background check process, and a listing of upcoming orientation sessions.

For more information, visit the Michigan Long Term Care Partnership web-site at www.miltcpartnership.org. Currently available at the web-site, if you click on the Tutorial button, you will find a draft background check user manual with detailed step-by-step instructions on how to use the web-based application to conduct background checks. In addition, if you click on the Support Services button, you will be able to “*contact us*” with any questions or concerns.

We acknowledge and recognize the contributions and efforts provided by our collaborating partners, the long term care community, advocates, and others as we have all worked together to implement this new process.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan Christensen". The signature is written in a cursive, flowing style.

Jan Christensen, Deputy Director
Health Policy, Regulation and Professions Administration

Enclosures