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## EVALUATOR MANUAL TRANSMITTAL SHEET

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<b><u>Distribution:</u></b>	<b><u>Transmittal No.</u></b> 07RM-09
<input type="checkbox"/> All Child Care Evaluator Manual Holders <input type="checkbox"/> All Residential Care Evaluator Manual Holders <input checked="" type="checkbox"/> All Evaluator Manual Holders	<b><u>Date Issued</u></b> November 2007

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**Subject:**

### REFERENCE MATERIAL – APPLICATION SECTION

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**Reason For Change:**

- ◆ To revise Background Check procedures
  - ◆ To add instructions for Adam Walsh Act requirements for checking out-of-state child abuse/neglect registries prior to licensing
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**Filing Instructions:****REMOVE:**           pages 1, 30, 31, 53, 140**INSERT:**           pages 1, 30, 31, 53, 53.1, 140**Approved:***Linda Patterson, Chief**11/19/07*


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 LINDA PATTERSON, Chief  
 Caregiver Background Check Bureau  
 Community Care Licensing Division

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 Date

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 Contact Person: Linda Estelle

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 Phone Number: (916) 263-2151

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## 3-0140 IV APPLICATION PROCESS (Continued)

3-0140

11. Application approved and license issued
12. Application denied
  - a. Cessation or review
  - b. Waiting period

## B. Background Check

1. Fingerprint processing procedures.
  - a. Caregiver Background Check Bureau will mail out Livescan Form and Fingerprint Submission Instructions after the application is accepted.
  - b. Assigned facility number must be on the Livescan form.
  - c. Prints are transmitted to the Department of Justice (DOJ) electronically.
  - d. Fingerprint processing fee.
2. Applicants and all adults residing in the home must have a DOJ clearance or criminal record exemption prior to license/certification.
3. Exemption process – Handout LIC 995F
4. California Child Abuse Central Index (CACI) Check
  - a. For facilities that provide care to children.
  - b. Form and instructions sent with fingerprint submission instructions.
  - c. Processing fee of \$15.00 (no categories are exempt from fee).
5. For Foster Family Home and Certified Family Home Applicants Only
  - a. Out-of-State Child Abuse/Neglect Registry Check required **if** applicant has lived in another state within the last five years.
  - b. Must have DOJ **and** FBI clearance or exemption prior to license/certification.
  - c. Must have CACI clearance and, if required, an out-of-state child abuse/neglect clearance prior to license/certification.

**3-0140 IV APPLICATION PROCESS (Continued)****3-0140**

- C. Outside Clearances
  - 1. Applicant's responsibility.
  - 2. Important to inquire prior to or at the same time the application is submitted.
  - 3. Licensing does not have any jurisdiction or control over these clearances.
  - 4. Contact the Zoning Department or the Planning Commission.
    - a. May need a conditional use permit or a business license.
    - b. Check on building codes.
  - 5. Bacterial analysis required if not public water.
- D. Licensing Fees
  - 1. Handout Licensing Fee Letter.
  - 2. Fees are paid a time of application and annually on anniversary date of the current license.
  - 3. Application fee is non-refundable.
- E. Limits and Terms of License
  - 1. Non-transferable.
    - a. If the facility is sold, the license and residents are not part of sale.
    - b. New owner must apply for a new license and meet licensing qualifications and standards.
  - 2. Surrender/Forfeiture of a license.
  - 3. Capacity determination.

**3-0239 A 14 LIC 999 FACILITY SKETCH (Continued) 3-0239**

- Sketch of outdoor space/playground must show dimensions and location of major equipment and swimming pools.

**3-0240 FINGERPRINTS 3-0240**

- Prior to licensure a criminal record clearance or exemption must be received on the applicant(s), administrator/director and all adults (except clients) living in the facility.
- Applicants will receive instructions by mail on how to submit fingerprints.
- DOJ will not accept fingerprint cards. All fingerprints must be submitted electronically.
- If an individual has a criminal record clearance or exemption through another Community Care Licensing Division licensed facility and the individual has an “active” status on the LIS, the applicant or licensee may request that the clearance or exemption be transferred.

**3-0242 CALIFORNIA CHILD ABUSE CENTRAL INDEX CHECK 3-0242**  
(Applies to all facilities serving children.)

- Prior to licensure, a Child Abuse Central Index (LIC 198A) clearance must be received on the applicant(s), administrator/director and all adults (except clients) living in the facility.
- LIC 198As are no longer part of the application packet that is submitted to the Regional Office.
- Applicants will receive instructions by mail on how to submit a request for a Child Abuse Central Index check.
- If an individual has a Central Abuse Index clearance that was submitted after January 1, 1999, and the individual has an “Active” status on the LIS, the applicant or licensee may request that the clearance be transferred.

**3-0243 OUT-OF-STATE CHILD ABUSE/NEGLECT REPORTS 3-0243**  
For Foster Family Home and Certified Family Home Applicants Only

- Prior to licensure, applicants and all adults living in the home must be asked if they have lived in another state in the preceding five years. The Out-of-State Disclosure & Criminal Record Statement (LIC 508D) includes this question.
- If the individual discloses an out-of-state residence, the Regional Office must send the LIC 508D via fax, mail or e-mail to CBCB.

**3-0243 OUT-OF-STATE CHILD ABUSE/NEGLECT REPORTS 3-0243**

For Foster Family Home and Certified Family Home Applicants Only

(Continued)

- Applicants will be notified by CBCB that a name check will be run against the out-of-state child abuse/neglect registry.
- If a positive name match results from the out-of-state child abuse/neglect registry inquiry, then CBCB will request the child abuse/neglect report from the reporting entity and determine if further investigation is required.
- If no further investigation is required or the individual is cleared following the investigation, CBCB will update the individual's status on LIS to "Cleared Following Inquiry." If the individual is a CFH applicant, CBCB will send a notice to the FFA.
- If the individual is not cleared following the investigation, CBCB will update LIS and send a notice to the Regional Office.

**3-0250 SECTION B GUIDELINES****3-0250**

The following guidelines are used when reviewing application documents for Section B. The guidelines were designed to be used in conjunction with the Residential Facility Application Booklet (LIC 281) and the Child Care Center Application Booklet (LIC 281A). Therefore, when reviewing an application for a family child care home or a foster family home, these guidelines will not be applicable to these two facility categories.

**ALL FACILITY CATEGORIES:**

- LIC 198A Child Abuse Index Check (for children facilities only)
- LIC 198B Out-of-State Child Abuse/Neglect Report Request
- LIC 306 Reporting Requirements to Dept. of Social Services
- LIC 308 Designation of Administrative Responsibility
- LIC 500 Personnel Report
- LIC 501 Personnel Record
- LIC 503 Health Screening Report (TB Clearance)
- LIC 508 Criminal Record Statement
- LIC 508D Out-of-State Disclosure & Criminal Record Statement
- LIC 613 Personal Rights
- LIC 624 Unusual Incident/Injury/Death Report
- LIC 627 Consent for Medical Treatment
- LIC 9058 Provider/Licensee Rights
- LIC 9182 Criminal Background Clearance Transfer Request
- LIC 9188 Criminal Record Exemption Transfer Request
- Appendix D A Guide to Handling Client/Resident Cash Resources

In addition to the forms for all facility categories, the following forms are to be handed out to applicants of a child care center.

**CHILD CARE CENTERS**

- LIC 813C Forms Request – Child Care Programs
- LIC 311A Records to be Maintained in a Child Care Center
- LIC 700 Identification and Emergency Information
- LIC 701 Physician's Report
- LIC 702 Child's Preadmission Health History
- LIC 995 Notification of Parent's Rights
- LIC 9040 Child Care Facility Roster
- LIC 9052 Notice of Employee Rights
- SS 8572 Suspected Child Abuse Report
- LIC 9108 Statement Acknowledging Requirement to Report Suspected Child Abuse

The following additional forms are to be handed out to applicants for child care programs, adult facilities, residential care facilities for the elderly and children's residential programs.