

Continued Funding From the Affordable Care Act to Assist States to Develop Criminal Background Check Programs For Direct Patient Access Employees of Long Term Care Facilities and Providers

CMS has extended the deadline to apply under the current solicitation to: October 31, 2011.

In a move aimed at combating abuse and neglect in the nation's long-term care facilities, the Centers for Medicare & Medicaid Services (CMS) has awarded more than \$33.7 million to 14 States to design comprehensive applicant background check programs for jobs involving direct patient care.

Since September 2010, fourteen States were awarded \$33.7 million. Many other States are still considering the possibility of taking advantage of the new background check program to safeguard long term care residents and improve quality of care. CMS has engaged a national contractor to assist all States in these efforts, including States that have not yet applied to be part of the national program.

"Elder abuse and neglect is tragic and intolerable," said Donald M. Berwick, M.D., CMS administrator. "Workers with a history of abuse or neglect should be identified and prevented from working with residents of these facilities ever again.

"The new health care law will help States and to identify the best, most effective ways to determine which applicants can be trusted with the health and safety of residents and which cannot," he said.

Created by the Affordable Care Act, the new National Background Check Program will help identify "best practices" for long term care providers to determine whether a job seeker has a criminal history or other disqualifying background that could make them unsuitable to work directly with long term care clients/residents.

The National Background Check Program third round of award recipients are: Kentucky, Oklahoma, Utah and North Carolina. They each will share a portion of \$11.3 million. In February 2011, CMS awarded the second round of funding for \$8.7 million shared between California, the District of Columbia, Illinois and New Mexico. In September 2010, CMS awarded the first round of funding for \$13.7 million shared between Alaska, Connecticut, Delaware, Florida, Missouri, and Rhode Island. The new law set aside \$160 million for the program, an amount sufficient to enable all States to participate. The program implementation will run from the award date through a 36-month period. Previously awarded States that were approved for a 24-month period also have the option of converting to a 36-month time period.

The National Background Check for each prospective employee must include a criminal history search of both State and FBI records as well as other State resources such as the Nurse Aide Registry. CMS and the FBI are continuing to work together to implement this program.

Long-term care facilities and providers covered under the new program include nursing homes, home health agencies, hospice providers, long-term care hospitals, intermediate care facilities for persons with mental retardation, and other entities that provide long-term care services.

Applications under this current solicitation are due by October 31, 2011. Questions about the National Background Check Program may be sent via e-mail to:

Background_Checks@cms.hhs.gov.

October 2010 Awards	December 2010/February 2011 Awards
• Alaska \$1,500,000	• California \$3,000,000
• Connecticut, \$1,952,075	• District of Columbia \$2,674,097
• Delaware, \$2,954,700	• Illinois \$1,500,000
• Florida, \$2,990,438	• New Mexico \$1,500,000
• Missouri \$3,000,000	
• Rhode Island \$1,354,362	
October 2010 Total \$13,751,575	December/February Total \$8,674,097
May/June/July 2011 Awards	
• Oklahoma \$3,000,000	
• Kentucky \$3,000,000	
• Utah \$3,000,000	
• North Carolina \$2,297,074	
• Delaware (supplemental award) \$45,300	
May/June/July 2011 Total \$11,342,374	

Total Awarded \$33,768,046.00