

IMP-D2 - Background Investigation Monitoring

Choices In Community Living, Inc.

Primary Regulatory Reference	Ohio Administrative Code 5123-2-02 - Background Investigations for Employment
Related Regulatory Reference	OAC 5123-2-08 - Provider Certification - Agency Providers; ORC 5123.081; applicable DODD provider compliance review criteria
Related CICL Policy	Personnel Policy #3 - Employee Selection and Hiring Process; Internal Monitoring & Program Integrity Policy; other applicable HR procedures; Nineteen Services independent compliance review and technical assistance, as applicable
Primary Responsible Role	Human Resources Director
Monitoring Frequency	100% operational background investigation process for applicable applicants/employees; quarterly internal monitoring sample and trend review; five-year rechecks and ongoing Rapback monitoring as required
Review Standard	Required checks are completed timely, results are evaluated appropriately, required evidence is retained, and identified exceptions are corrected and documented.

1. Purpose

This procedure establishes CICL's internal monitoring process for background investigations for employment. It is designed to verify that required pre-employment and ongoing background investigation activities are completed, documented, reviewed, and acted upon in accordance with current DODD requirements and CICL policy.

IMP-D2 is one component of CICL's Internal Monitoring & Program Integrity framework. The procedure focuses on whether the Human Resources background investigation process is operating as designed; it does not replace the operational hiring process or create duplicate background checks.

2. Relationship to CICL Personnel Policy

CICL Personnel Policy #3 currently addresses background checks, ARCS/database screening, BCI/FBI fingerprinting, employee attestations, Rapback enrollment, and employee reporting of arrests or convictions. IMP-D2 uses those operational controls as evidence and adds periodic oversight to verify that the controls are functioning consistently.

Regulatory references contained in older CICL personnel policies should be reviewed separately and updated as needed. For IMP-D2, the current governing background-investigation rule is OAC 5123-2-02. Human Resources will monitor revisions to OAC 5123-2-02, OAC 5123-2-08, related DODD guidance, and other applicable federal or state employment requirements and will update CICL procedures, training, and monitoring criteria when changes affect this process. Broader wage-and-hour, leave, and other employment-law compliance remains governed by CICL's applicable HR policies and procedures and is outside the primary scope of IMP-D2.

3. Roles and Responsibilities

1. Human Resources Director - owns the IMP-D2 monitoring process; ensures required background-investigation procedures are maintained; oversees review of exclusions, Rapback notifications, disqualifying-offense issues, corrective action, and periodic internal monitoring.

2. Human Resources Staff - complete or coordinate required pre-employment checks, maintain supporting evidence, monitor Rapback enrollment/status and required rechecks, and promptly escalate adverse or incomplete results. Human Resources conducts recruiting and interviews in coordination with Hiring Managers / Supervisors.

3. Hiring Managers / Supervisors - coordinate with Human Resources before an applicant performs duties requiring completed background-investigation steps and promptly report information that may require Human Resources review.

4. Executive Leadership / Compliance - supports review of significant or recurring exceptions, corrective action, and trends that may present compliance or program-integrity concerns.

5. Nineteen Services - provides independent compliance review and technical assistance related to CICL's background-investigation and personnel compliance processes. This may include periodic review of personnel records and supporting documentation; assessment against applicable DODD and Ohio Administrative Code requirements; identification of trends, gaps, or opportunities for improvement; and recommendations regarding corrective action, training, or process improvement. CICL management remains responsible for operational compliance and completion of corrective action.

4. Monitoring Scope and Procedure

1. Employment Application and References - Verify that applicable applicants complete an employment application, provide present/former employer information, and that CICL maintains written evidence that required reference checks were attempted and/or completed. Verify applicants without a high school diploma/GED, non-clinical aides; age 16 under 18 satisfies the requirements for applicable positions.

- 2. Required Database Checks** - Verify completion and documentation of the required exclusion, registry, offender, and other databases identified in OAC 5123-2-02 before employment or conditional employment, as applicable. CICL may use ARCS or another approved process to support completion and documentation of these checks.
- 3. Driving Record When Applicable** - For positions involving transportation of individuals or operation of CICL vehicles, verify the required driver-license and BMV record review and that the result satisfies applicable rule requirements and CICL standards. When an employee is not approved to drive or has a driving restriction, verify the restriction is documented and the employee is not assigned to operate a CICL vehicle or use a personal vehicle for CICL business.
- 4. Applicant Attestation and Reporting Agreement** - Verify the applicant signs the required attestation regarding disqualifying offenses and the agreement to notify CICL within the required timeframe of specified criminal charges, convictions, guilty pleas, or intervention-in-lieu determinations.
- 5. BCI/FBI Criminal Records Checks** - Verify the required BCI criminal records check is requested and that an FBI check is requested when required based on Ohio residency or other applicable circumstances. Supporting results and residency evidence, when relied upon, should be retained in accordance with CICL practice and applicable requirements. Human Resources will stay current with OAC 5123-2-02 and other applicable background-check laws, rules, and DODD guidance and revise operational procedures when requirements change.
- 6. Conditional Employment** - When conditional employment is used, verify all prerequisites were satisfied, the criminal records check was requested, applicable restrictions were followed, and employment did not continue beyond the permitted period without receipt and acceptable review of the required results.
- 7. Rapback Enrollment and Ongoing Status** - Verify each applicable employee in a direct-services position is enrolled in the retained applicant fingerprint database (Rapback) within the required timeframe and enrollment is maintained throughout the employee's tenure. Rapback notifications, including notifications reflecting a new or pending criminal charge or other adverse information, will be reviewed promptly by Human Resources, evaluated under current disqualifying-offense and employment requirements, documented, and acted upon timely. The disposition and any employment restriction, removal from duties, corrective action, or other response will be retained as monitoring evidence.
- 8. Five-Year Rechecks** - Verify required databases are rechecked at least once every five years for applicable direct-services employees and that required FBI or BCI/FBI criminal records checks are obtained for employees who cannot be enrolled in Rapback or when otherwise required by rule.
- 9. Disqualifying Offenses and Permitted Employment Exceptions** - Verify criminal-history findings are evaluated under the current disqualifying-offense tiers and applicable exceptions permitted under OAC 5123-2-02 before employment is approved or continued. The basis and supporting documentation for any permitted employment decision will be retained.
- 10. Adverse Findings and Exclusions** - Verify CICL does not employ or continue to employ an individual when prohibited by required database results or applicable disqualifying-offense provisions, and that adverse findings are escalated and resolved promptly.
- 11. Personnel File / Evidence Retention** - Verify sufficient evidence is maintained to demonstrate completion, timing, review, and disposition of required background-investigation steps while protecting confidential personnel information.
- 12. Trend Review and Corrective Action** - Identify late, missing, incomplete, or recurring background-investigation issues; determine whether expanded review, retraining, process revision, or other corrective action is required; and verify closure.

5. Sampling and Frequency

Operational background-investigation requirements apply to 100% of applicable applicants and employees. IMP-D2 oversight is a separate monitoring activity and does not require Human Resources to recreate the operational work already completed.

- Monthly, the Human Resources Director or designee will review a sample of newly hired employees and any identified higher-risk files, including conditional hires, Rapback/adverse notifications, or incomplete or exception items. Quarterly, Human Resources will perform a broader sample and trend review of applicable employee/background-investigation records. The combined review approach should provide coverage across the workforce over the annual monitoring cycle and may be expanded when concerns are identified.
- Quarterly, Human Resources will conduct a current-employee file scrub to verify continued compliance with applicable employment requirements, including identified driving restrictions, required licenses/certifications, Rapback status or notifications, upcoming required rechecks, and other identified personnel-file compliance items.
- Nineteen Services may perform independent periodic review of selected personnel/background-investigation records and related controls as part of CICL's compliance support. Results and recommendations from these reviews will be considered with CICL's internal monitoring findings, trended as appropriate, and followed through corrective action when indicated.
- Targeted reviews may focus on new hires, conditional hires, Rapback exceptions, employees approaching a five-year recheck, adverse database results, or other higher-risk circumstances.

- Significant or recurring findings may result in expanded review up to 100% of the affected population or process.

6. Evidence Reviewed / Retained

- Employment application and reference-check evidence
- Required database/ARCS results
- BCI and, when applicable, FBI criminal-record results
- Ohio-residency evidence when used to determine FBI requirements
- Applicant attestation and signed reporting agreement
- Driving record evidence when applicable
- Rapback enrollment/status and notification documentation
- Five-year recheck evidence
- Disqualifying-offense and permitted-exception documentation when applicable
- Exception research, corrective action, and closure documentation
- Completed IMP-D2 Background Investigation Monitoring Checklist
- Nineteen Services review reports, findings, recommendations, and CICL follow-up documentation, when applicable
- Required onboarding, annual, and as-needed training records applicable to the employee's position, including required Director of Operations (DOO) training and other training required under current DODD provider-certification requirements
- Applicable licenses, certifications, credentials, and renewal/maintenance documentation
- Evidence of review of changes to OAC 5123-2-02, OAC 5123-2-08, and related DODD guidance affecting hiring, background investigations, training, or credential maintenance

7. Monitoring Indicators

- Required pre-employment checks are completed before employment or conditional employment, as applicable.
- Required criminal-record checks and database checks are supported by retained evidence.
- Rapback enrollment is timely and maintained for applicable direct-services employees.
- Five-year rechecks are completed when due.
- Adverse findings and disqualifying offenses are evaluated and resolved under current requirements.
- Conditional employment, when used, complies with required safeguards and time limits.
- Exceptions are documented, corrected, trended, and escalated when appropriate.
- Independent Nineteen Services findings or recommendations are reviewed by CICL and incorporated into corrective action and continuous quality improvement when applicable.
- Rapback/adverse notifications are reviewed and acted upon timely, with the disposition documented.
- Required onboarding, annual, and as-needed training, including required DOO training, and applicable certifications/credentials are current and supported by retained evidence.

8. Corrective Action and Escalation

When monitoring identifies a missing, late, incomplete, or potentially noncompliant background-investigation requirement, Human Resources will determine the immediate action necessary to protect individuals and maintain compliance. Corrective action may include obtaining missing documentation, removing an employee from applicable duties pending review, completing or repeating required checks, correcting Rapback enrollment, conducting an expanded file review, revising procedures, retraining staff, or consulting executive leadership/legal counsel when appropriate.

Material or recurring findings, including applicable findings or recommendations from Nineteen Services, will be trended through CICL's Internal Monitoring & Program Integrity process and followed through documented closure. Nineteen Services provides independent review and technical assistance; responsibility for compliance decisions and corrective action remains with CICL management.

Exhibit A - IMP-D2 Background Investigation Monitoring Checklist

Choices In Community Living, Inc.

Purpose: Periodically verify that CICL's existing background-investigation controls are operating as designed. This checklist is an oversight tool and does not replace the operational background checks, database searches, Rapback process, or personnel-file documentation completed by Human Resources.

Review Period:

Reviewer:

Prior/Recurring Issue?

Yes / No

Date Completed:

Employee/File Sample:

Expanded Review Required?

Yes / No

1. Required employment application and reference-check evidence is present; applicable position eligibility and duty restrictions (including high school diploma/GED, age, non-clinical aide, and non-driver restrictions) are documented and followed.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

2. Required database/registry/exclusion checks were completed and documented timely.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

3. BCI and, when applicable, FBI criminal-record checks were requested/completed as required.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

4. Ohio-residency evidence is documented when relied upon to determine FBI requirements.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

5. Required applicant attestation and criminal-charge reporting agreement are signed and retained.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

6. Driving-record requirements were completed for applicable transportation positions; employees not approved to drive or with driving restrictions are documented and are not assigned to operate CICL vehicles or use personal vehicles for CICL business.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

7. Conditional employment, if used, met required prerequisites and time limitations.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

8. Rapback enrollment was completed timely and is maintained for applicable employees.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

9. Rapback/adverse notifications, including new or pending criminal charges or other adverse information, were reviewed promptly, evaluated under current requirements, acted upon timely, and the disposition was documented.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

10. Required five-year database and criminal-record rechecks were completed when due.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

11. Any disqualifying-offense determination or permitted employment exception is supported and documented.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

12. Required onboarding, annual, and as-needed training, including required DOO training, and applicable certifications/credentials are current and supported by retained evidence; relevant DODD rule/guidance updates were incorporated into HR procedures as applicable.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

13. Applicable Nineteen Services findings/recommendations were reviewed, addressed, and retained as evidence of follow-through.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

14. Prior findings, exceptions, or recurring issues were followed through corrective action and closure.

Rating: ☐ C ☐ PC ☐ NC ☐ N/A

Evidence / Findings: _____

Corrective Action / Follow-Up (if needed): _____

Responsible Position: _____ Due Date: _____

Overall Conclusion

Overall Status

Summary Findings / Trends

Corrective Action / Responsible Position / Due Date

Review Closed / Reviewer Initials

Control Operating as Designed / Follow-Up Required / Expanded
Review Required