



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

September 12, 2011

MEMORANDUM

TO: Administrators of Nursing Homes, Home Health Agencies, Community Residential Care Facilities, Day Care Facilities for Adults, Residential Treatment Facilities for Children & Adolescents, and Hospice Programs

Administrators of Residential Programs Operated or Contracted for Operation by the Department of Mental Health or the Department of Disabilities & Special Needs

FROM: Dennis L. Gibbs, Chief
Bureau of Health Facilities Regulation

SUBJECT: Electronic Fingerprinting - Conducting Criminal Records Checks on Direct Caregivers and on Owners of a Nursing Home and/or Community Residential Care Facility

Effective September 12, 2011, Federal and State criminal records checks (when both are required), will be accomplished by electronic fingerprint scanning through L-1 Identity Solutions. The Department will no longer distribute or accept fingerprint cards after December 31, 2011 to process a person that requires a Federal criminal records check (except as noted in our new procedures). The procedures for conducting criminal records checks via the fingerprint card will be removed from our Website in January of 2012.

The new procedures for conducting criminal records checks on direct caregivers and on owners (or individuals authorized to sign the license application) of a nursing home and/or a community residential care facility, can be found on our website at <http://www.scdhec.gov/health/licen/crc.htm>. Contact information for L-1 Identity Solutions is also contained within each of these procedures.

Please note that §44-7-264 of the South Carolina Code of Laws was added in 2010 and requires the owner or individuals authorized to sign the license application for a nursing home and/or community residential care facility to undergo a criminal record check. Administrators are to make the owner(s) of the facility or service aware of this new law and the requirement for a license renewal.

In addition, §44-7-2910 of the South Carolina Code of Laws was amended in 2010 to include additional health care settings where a direct caregiver is required to have a criminal record check. Currently, a direct caregiver working for a nursing home, home health agency, community residential care facility, day care facility for adults, residential treatment facility for children & adolescents, hospice program, and a residential program operated or contracted for operation by the Department of Mental Health or the Department of Disabilities & Special Needs is required to have the check.

Should you have any questions, please contact the Bureau of Health Facilities Regulation by phone at (803) 545-4370 or by e-mail at FORDSR@dhec.sc.gov.

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