



Center for Medicaid, CHIP, and Survey & Certification

CMCS Informational Bulletin

DATE: June 1, 2010

FROM: Cindy Mann, Director
Center for Medicaid, CHIP and Survey and Certification (CMCS)

SUBJECT: Advance Notification of Upcoming National Criminal Background Check Federal Matching Grants Solicitation under Section 6201 of the Affordable Care Act

The new national background check program is contained in Section 6201 of the Patient Protection and Affordable Care Act (P.L. 111-148, enacted on March 23, 2010) and the Health Care and Education Reconciliation Act of 2010 (P.L. 111-152, enacted on March 30, 2010) together called the Affordable Care Act.

The purpose of this bulletin is to provide advance notice that the Centers for Medicare & Medicaid Services (CMS) will issue a solicitation for Federal matching grants to all States and the U.S. Territories for a multi-year *National Background Check Program for Patient Protection* for direct patient access employees of long term care facilities and providers. As specified in the law, these providers include nursing homes and other providers that provide services through a variety of authorities including Medicaid State Plan services and Medicaid waiver authorities such as 1915(c) home and community-based services. We expect the solicitation to be available in early June, with State applications due in August 2010. The program is intended to assist all States and Territories that desire to institute or upgrade their systems of employee background checks to include checks of all pertinent registry sources in all States in which a potential employee has lived, to check State and Federal criminal records, and to use the FBI fingerprinting system in order to ensure that employees hired to serve the vulnerable long term care population do not have criminal or registry past histories that make them unfit to be hired. The goal of the program is to prohibit the hiring of employees who have histories of abuse or relevant criminal violations from serving the vulnerable long term care population.

STATUTE/ REGULATION: The statute is available at <http://www.gpo.gov/fdsys/search/pagedetails.action?granuleId=&packageId=BILLS-111hr3590ENR>. The grant solicitation will be available online at www.grants.gov. States may also download the application at: <http://www.cms.hhs.gov/GrantOpportunities>

CMCSO CONTACT: please direct your questions about this upcoming opportunity to the Background Check program mailbox at background_checks@cms.hhs.gov (background underscore checks @cms.hhs.gov).

We hope you will consider becoming a part of this important new Federal/State partnership opportunity to enhance safety and quality of care for our nation's long term care population.