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GOVERNOR

December 7, 2017

PIN 17-13-CRP

TO: ALL LICENSED FOSTER FAMILY AGENCIES  
ALL LICENSED ADOPTION AGENCIES

FROM: ***Original signed by Pamela Dickfoss***  
PAMELA DICKFOSS  
Deputy Director  
Community Care Licensing Division

SUBJECT: RESOURCE FAMILY APPROVAL— BACKGROUND CHECKS  
(CRIMINAL RECORD CLEARANCES, EXEMPTIONS, CACI CHECKS)

**Provider Information Notice (PIN) Summary**

This PIN provides licensed foster family agencies (FFAs) and licensed adoption agencies with information on the criminal record clearance and exemption process for Resource Family Approval (RFA) applicants and adults residing or regularly present in the home of an applicant or Resource Family. For purposes of this PIN, an “RFA applicant” is an individual who applies for Resource Family Approval with an FFA.

Implementation of RFA requires FFAs to obtain an Originating Agency Identifier (ORI) code from the California Department of Justice (DOJ). By obtaining an ORI code, an FFA is authorized by DOJ to receive state criminal offender record information and subsequent arrest notifications for each individual who submits fingerprints under the RFA applicant type. The RFA applicant type authorizes DOJ to disseminate the results of a criminal record check to both the California Department of Social Services’ Caregiver Background Check Bureau (CBCB) and the FFA. The CBCB receives state **and** federal criminal offender record information for the purpose of issuing a criminal record clearance, exemption, or denial, while the FFA receives **only** state criminal offender record information for the purpose of conducting the psychosocial assessment of an RFA applicant.

### **Association of Resource Families to an FFA**

An RFA applicant and all adults, other than nonminor dependents, residing or regularly present in the home of an applicant or Resource Family, unless exempt pursuant to Health and Safety Code section [1522\(b\)](#), must submit fingerprints to the DOJ under the RFA applicant type by using form [BCIA 8016](#) Request for Live Scan Services. **For an individual to be associated to an FFA, the FFA must enter its FFA license number as the “Your Number/OCA” on the form BCIA 8016.** If an FFA does not include its FFA license number on the form, CBCB cannot match the individual to the FFA and delays will occur.

If an individual submitted their fingerprints, but the FFA did not enter its license number as the “Your Number/OCA” on the form BCIA 8016, then the FFA should contact the CBCB Operator at 1-888-422-5669. The FFA will need to fax a copy of the completed form BCIA 8016 to CBCB.

### **Criminal Record Clearance/Exemption**

A criminal record clearance or exemption is required for an RFA applicant to obtain Resource Family Approval or an adult to reside or be regularly present in the home of an applicant or Resource Family. Consistent with current practice, CBCB will evaluate the criminal record of an individual and determine, if necessary, whether a criminal record exemption may be granted for purposes of RFA. If an individual has been convicted of a crime, other than a minor traffic violation, for which an exemption may be granted, the CBCB will send an “Exemption Needed Notice” to the individual, the applicant or Resource Family, and the FFA.

### **No Longer Interested (NLI) Notification**

An FFA shall immediately notify the DOJ when an individual, who submitted fingerprints for RFA or to reside or be regularly present in the home of an applicant or Resource Family, is no longer associated to the FFA in order to terminate subsequent arrest notifications. A completed form [BCIA 8302 No Longer Interested Notification](#) shall be submitted to the DOJ by the FFA when any of the following occur:

- An applicant withdraws his or her application for Resource Family Approval prior to the approval or denial of the application.
- An application for Resource Family Approval is denied by an FFA.
- A Resource Family surrenders its approval.
- An FFA rescinds the approval of a Resource Family.
- An individual no longer resides or is no longer regularly present in a Resource Family home.
- If the California Department of Social Services orders an FFA to deny an application, rescind approval, or exclude an individual, and the time for appeal has lapsed, or there was an appeal of the denial, rescission, or exclusion and the administrative action is final.

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**Frequently Asked Questions (FAQ)**

Attached to this PIN is an FAQ document (Attachment "A") that addresses the form BCIA 8016 Request for LiveScan Service, staff fingerprints, transfer of clearances and exemptions, and subsequent CACI reports for certified family homes that were certified before January 1, 1999. The FAQ document also answers other practical questions received by the California Department of Social Services from FFAs and advocacy organizations as a result of the implementation of Resource Family Approval/Continuum of Care Reform.

If you have any questions, please email the RFA Program Unit at [RFA@dss.ca.gov](mailto:RFA@dss.ca.gov) or the CBCB Policy Unit at [CBCPolicy@dss.ca.gov](mailto:CBCPolicy@dss.ca.gov).

Attachment "A"- Frequently Asked Questions

- 1. Which LiveScan request form should be used to fingerprint Resource Family applicants and adults residing or regularly present in the home of an applicant or Resource Family?**

The form [BCIA 8016](#) Request for LiveScan Service should be used for Resource Family applicants and adults residing or regularly present in the home of an applicant or Resource Family. Please refer to [Instructions for Resource Family Approval Applicant Live Scan Request Form BCIA 8016](#) when completing LiveScan requests for these individuals.

- 2. The form BCIA 8016 Request for LiveScan Service does not have a Child Abuse Central Index (CACI) checkbox. How is the CACI report obtained for a Resource Family applicant or adults residing or regularly present in the home of an applicant or Resource Family?**

When an individual completes a LiveScan fingerprint check under the Resource Family applicant type, the California Department of Justice automatically forwards the results of the CACI check to the CDSS Caregiver Background Check Bureau.

- 3. On form BCIA 8016 Request for LiveScan Service, what information should be included on the line for "Authorized Applicant Type"?**

For Resource Family applicants and all adults residing or regularly present in the home of an applicant or Resource Family, "**RESRCE FAM PER 16519.5WI**" should be used as the authorized applicant type. The authorized applicant type informs the California Department of Justice where to disseminate the results of a criminal record check.

- 4. How will foster family agencies (FFA) know if an individual has received a criminal record clearance or exemption?**

FFAs will continue to have access to the criminal record clearance and exemption status for RFA applicants and other associated individuals on the [CCLD Internal Web Application for Background Check Status](#) page.

- 5. Should foster family agency (FFA) staff, volunteers, and alternative caregivers be fingerprinted under the Resource Family applicant type or a different applicant type?**

The authorized applicant type informs the California Department of Justice where to disseminate the results of a criminal record check. FFAs should continue to use the form [LIC 9163](#) Request for LiveScan Service with the Department ORI Code (A0448) and "**Foster Family/Adopt Employment**" applicant type to fingerprint FFA staff and volunteers. For alternative caregivers, FFAs should continue to use the

form [LIC 9163](#) Request for LiveScan Service with the Department ORI Code (A0448) and “**Cert Fam Home 1522**” applicant type.

**6. Should respite caregivers be fingerprinted under the Resource Family applicant type?**

A respite caregiver is required to be an approved relative or nonrelative extended family member, a licensed foster family home, a certified family home, or a Resource Family. Each of these respite caregivers has been fingerprinted under the applicable applicant type at the time of licensure, certification, or approval. For Resource Family applicants, “**RESRCE FAM PER 16519.5WI**” should be used as the authorized applicant type on the form BCIA 8016.

**7. Must occasional short-term babysitters undergo a background check?**

No. Occasional short-term babysitters are exempt from the requirement of an RFA background check as specified in the [FFA Interim Licensing Standards section 88331.3\(g\)\(8\)](#).

**8. Must a foster family agency conduct an RFA background check for a nonminor dependent placed with a Resource Family since they are an adult residing in the home?**

No. A nonminor dependent shall not be subject to a background check for purposes of Resource Family Approval [[FFA ILS §88331.3\(i\)](#)].

**9. Must a foster family agency complete an RFA background check for adult friends and family of a Resource Family who come into the home to visit for a length of time no longer than one month?**

No, as long as the visiting adult friends and family are not left alone with a child or nonminor dependent. However, the Resource Family, acting as a reasonable and prudent parent, may allow his or her adult friends and family to provide short-term care to a child and act as an appropriate occasional short-term babysitter for the child.

**10. Per [PIN 17-03-CRP](#), in order for a certified family home that was certified before January 1, 1999 to convert to a Resource Family, a foster family agency shall request that the Department conduct a new CACI check for the individual in order to receive subsequent CACI reports. Is there a method for the CDSS Caregiver Background Check Bureau to obtain a new CACI report without requiring the individual to submit new fingerprints?**

No. The California Department of Justice cannot send a CACI report or notification of subsequent CACI reports to CBCB without a new LiveScan fingerprint check. The individual must re-fingerprint using the Resource Family Applicant type (“**RESRCE FAM PER 16519.5WI**”) on the form BCIA 8016 Request for LiveScan Service.

- 11. For certified family homes that have been converted to Resource Families, the CDSS Caregiver Background Check Bureau (CBCB) will continue to get subsequent arrest notifications for the families. How will a foster family agency (FFA) receive subsequent arrest notifications so that it may complete approval updates for those converted Resource Families?**

Consistent with current practice, the CBCB will notify the individual and the FFA of any subsequent arrests or convictions.

- 12. Can a foster family agency (FFA) use the form [LIC 9182 Criminal Background Clearance Transfer Request](#) to transfer criminal record clearances for a Resource Family from one suboffice to another?**

Yes. An FFA should submit a completed form LIC 9182 Criminal Background Clearance Transfer Request to the appropriate CDSS Community Care Licensing Regional Office.

**Note:** Entities, including two suboffices of an FFA, cannot forward to each other criminal record information (rap sheets) or subsequent notifications of criminal history received from the DOJ. The new suboffice must complete and submit to DOJ the BCII 9002 Substitute Agency Notification Request form to have subsequent arrest notification service transferred from the previous suboffice to the new suboffice.

- 13. Can a foster family agency (FFA) transfer a criminal record exemption for a Resource Family from one suboffice to another by completing form [LIC 9188 Criminal Record Exemption Transfer Request](#)?**

The exemption must be active, meaning a subsequent arrest notification service from the California Department of Justice (DOJ) is in place, and the agency requesting the transfer must contact the Regional Office to determine if the exemption is eligible for a transfer. An FFA should mail a completed form LIC 9188 Criminal Record Exemption Transfer Request to the Community Care Licensing Division Regional Office with a photo ID of the person who has been granted the exemption. A current LIC 508D Criminal Record Statement may be required as well. Prior to approval of the transfer, the underlying exemption will be reviewed for any changed circumstances.

**Note:** Entities, including two suboffices of an FFA, cannot forward to each other criminal record information (rap sheets) or subsequent notifications of criminal history received from the DOJ. The new suboffice must complete and submit to DOJ the BCII 9002 Substitute Agency Notification Request form to have subsequent arrest notification service transferred from the previous suboffice to the new suboffice.

**14. May a foster family agency (FFA) transfer criminal record clearances for a Resource Family that is moving from one FFA to another FFA by completing form LIC 9182 Criminal Background Clearance Transfer Request?**

No. If a Resource Family chooses to move from one FFA to another FFA, then the individuals must resubmit their fingerprints. When an individual resubmits their fingerprints, the new FFA license number will be on the form BCIA 8016 Request for LiveScan Service as the OCA number, and this will inform CBCB of the new FFA association.

**15. May a foster family agency (FFA) transfer an exemption that was granted to a Resource Family that is moving from one FFA to another FFA by completing the LIC 9188 Criminal Record Exemption Transfer Request form?**

No. If a Resource Family chooses to move from one FFA to another FFA, then the individuals must resubmit their fingerprints. When an individual resubmits their fingerprints, the new FFA license number will be on the form BCIA 8016 Request for LiveScan Service as the OCA number, and this will inform CBCB of the new FFA association.

**16. Can out-of-state child abuse checks be transferred from one foster family agency (FFA) to another FFA?**

No. If a Resource Family chooses to move from one FFA to another FFA, then the individual must resubmit their fingerprints to be associated to the new FFA.

**17. If an individual was previously granted a criminal record exemption, but is no longer associated to a foster family agency (FFA), will the individual need to request a new exemption when applying for Resource Family Approval or to reside or be regularly present in a Resource Family home?**

Yes. An individual who was previously granted an exemption, but is no longer associated to an FFA, must resubmit fingerprints. If the CDSS Caregiver Background Check Bureau has maintained the documentation for the prior exemption, then it will review such documentation, in addition to any new information obtained pursuant to the RFA LiveScan results.

**18. If an applicant started the RFA application process with one foster family agency (FFA) but decides to submit an application to another FFA before their approval process is completed, can the applicant's clearance be transferred in LIS? Can the criminal offender record information obtained under the RFA applicant type be transferred from one FFA to another?**

No. The applicant will need to resubmit their fingerprints using the new FFA's license number and ORI code on the form BCIA 8016 Request for LiveScan Service, for the CDSS Caregiver Background Check Bureau to associate the individual to the

new FFA and for the new FFA to obtain the criminal offender record information to conduct the psychosocial assessment.

**19. If a foster family agency (FFA) lists the Adoptions applicant type on the form BCIA 8016, can the CDSS Caregiver Background Check Bureau transfer the individual's fingerprints from the Adoptions applicant type to the Resource Family applicant type?**

No. If an FFA lists the Adoption applicant type on the form BCIA 8016 Request for LiveScan Service, the applicant will need to be re-fingerprinted under the Resource Family applicant type.

**20. When a certified family home has been converted to a Resource Family by completing a psychosocial assessment, and the family later wants to adopt, should the FFA use the Adoption applicant type or the RFA applicant type on the form BCIA 8016?**

The FFA should use the Resource Family applicant type (“**RESRCE FAM PER 16519.5WI**”) on the form BCIA 8016 Request for LiveScan Service when those converted Resource Families re-fingerprint. The authorized applicant type informs the California Department of Justice where to disseminate the results of a criminal record check and notification of any subsequent criminal history and the disposition of the subsequent case, if any.

**21. When a Resource Family files a petition to adopt a child, will an adoption agency need to receive subsequent arrest and conviction notifications?**

No, an adoption agency will not need to receive subsequent arrest and conviction notifications, if any. The purpose of receiving this information would be to complete approval updates to an adoption home study. However, for Resource Families, a foster family agency (FFA) would still maintain oversight of a Resource Family, even when they file a petition to adopt, and would be responsible for completing any approval update to the written report. Therefore, the FFA would remain the entity receiving any subsequent arrest or conviction notifications for a Resource Family.

**22. When a Resource Family files a petition to adopt a child, will an adoption agency need to have any documentation of the Resource Family's clearance or exemption in the adoption file?**

No. For a Resource Family, this information will remain in their Resource Family case record that is maintained by the foster family agency (FFA). An adoption agency will not need this information for a Resource Family that wants to adopt because the FFA would have assessed the Resource Family's full criminal record information in the written report. A written report for a Resource Family is considered sufficient for meeting the adoption home study requirements in the adoption regulations.