



Department of Human Resources' Office of Licensing and Monitoring



Agenda

May 26, 2016-Maryland Department of Transportation (MDOT)
7201 Corporate Center Drive, Hanover, MD 21076

Welcome

Darlene Ham

Baltimore County Police Working with Group Homes

Officer Eileen Cwalina

Foster Care Ombudsman

Angela Neal

Restraints, CPS & Federal CJIS

Adele Black

Contracts

Jacqueline Jordon

Social Services Administration

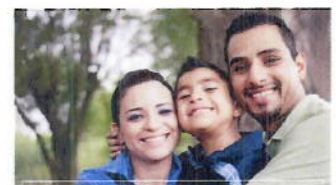
Sean Bloodsworth

Rate Reform

Interagency Rate Committee



Questions and Answers



Next Quarterly Provider Meeting

Thursday, August 11, 2016 from 10am to 12pm @ MDOT



April 25, 2016

Dear Providers:

The Office of Licensing and Monitoring is sending this letter to inform providers of the new laws that may impact their program operations. Effective immediately, pursuant to Code of Federal Regulations (CFR) 28.20.33 & 28.50.12, Criminal Procedure Article Section 10-219 (a), Annotated Code of Maryland and Code of Maryland Regulations (COMAR) 12.15.11 only the Criminal Justice Information System (CJIS) Central Repository is allowed to disseminate criminal information for non-criminal justice purposes. Sharing the criminal history results obtained from CJIS Central Repository is a violation of the above federal and state laws and regulations.

Providers are not allowed to share CJIS criminal history on any documents to another entity. If another entity requires the criminal history, they must request the criminal history directly from CJIS Central Repository per CFR 28.50.12(b). "The FBI Director is authorized by 28 CFR 0.85(j) to approve procedures relating to the exchange of identification records. Under this authority, effective September 6, 1990, the FBI Criminal Justice Information Services (CJIS) Division has made all data on identification records available for such purposes. Records obtained under this authority may be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities." For example, sending the home study packet with the CJIS background results, employment record etc. to another entity is a violation of the laws mentioned in this letter.

Should you have any questions or inquires please contact your assigned Licensing Coordinator. I have attached Code of Federal Regulations 28.20.33 & 28.50.12 for your information. Thank you for your attention to this letter and the services you provide to Maryland's children.

Sincerely,

A handwritten signature in cursive script that reads "Darlene Ham".

Darlene Ham
Executive Director
The Office of Licensing and Monitoring



May 25, 2016

Dear Providers:

The Office of Licensing and Monitoring (OLM) is sending this letter to inform providers that as of February 7, 2014, all childcare agencies have been receiving full disclosure of the FBI clearances. (For the purposes of this letter, the term "full disclosure" means a detailed criminal history report from Clarksburg, WV). Prior to this date, childcare agencies were only being notified that "the covered individual is the subject of criminal charges per the FBI Criminal History Report" and "Federal Public Law 92.544 prohibits the dissemination of information regarding these charges."

OLM is requesting that your agency conduct an internal audit between now and August 1st of all records (i.e. employees, Board of Directors, volunteers and interns) to ensure that ALL FBI clearances include a full disclosure of criminal charge(s). For Treatment Foster Care and Adoption programs, an internal audit of the foster homes, including ALL household members age 18 and over is also required.

Upon review of the individual's FBI clearance, if it documents that "the covered individual is the subject of criminal charges" and does NOT include the full disclosure from Clarksburg WV, then an updated FBI clearance **MUST** be requested.

Please find the attached excel spreadsheet, which is due to OLM by August 15, 2016. Residential Child Care Program (RCC) reports should be emailed to OLM.RCCupdates@maryland.gov and Child Placement Agency (CPA) reports should be emailed to OLM.CPAupdates@maryland.gov. This report should include all individuals that are "the subject of criminal charges" and there are missing full disclosure documentation. (Columns A and B must be completed for each individual.)

Once the internal audit is completed and the clearance is found to identify an individual as the subject of criminal charge/charges and there is NO documentation of the Full Disclosure, then the identified individual must complete an updated **FBI clearance**. This process **MUST** be completed by September 15, 2016. Once the updated FBI clearances are completed and received, then an updated excel spreadsheet is due to OLM by October 1, 2016 via the above email process. (On the updated spreadsheet, columns C to H must be completed for each individual.)

Please find the attached redacted examples of a clearance with the full disclosure of criminal charge from Clarksburg WV as well as a clearance that "prohibits the dissemination of information regarding these charges." In the latter example, an updated FBI clearance is required.

Should you have any questions or inquires please contact Adele Black,
Adele.Black@Maryland.gov or 410-767-7743 for CPA Providers or Helen Murray-Miller,
Helen.Murray-Miller@Maryland.gov or 410-767-7198 for RCC Providers. Thank you for your
cooperation with this internal audit and the services you provide to Maryland's children.

Sincerely,

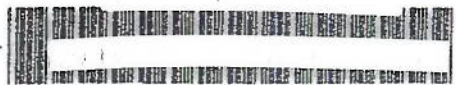
A handwritten signature in cursive script that reads "Darlene Ham". The signature is written in black ink and is positioned above the typed name.

Darlene Ham
Executive Director
The Office of Licensing and Monitoring

Example:

State of Maryland
Department of Public Safety and Correctional Services

New full clearance



Deputy Secretary Administration
Deputy Secretary Operations
Assistant Secretary/Chief of Staff
Assistant Secretary Capital Programs
Chief Info. Officer
Deputy Chief Info. Systems
www.dpscs.state.md.us

Governor
Lt. Governor
Secretary

Information Technology and Communications Division
Criminal Justice Information System - Central Repository
Post Office Box 32708 * Pikesville, Maryland 21282-2708
Main No: 410-764-4501 * Toll Free: 1-888-795-0011

Received : 02/06/2014
Reference
Originally printed:

February 07, 2014

Your request for a criminal history record check has been conducted. Information from the Federal Bureau of Investigation (FBI) ,based upon the fingerprint supported identification information indicated below,has been reviewed.

Name
Sex: | Race: Date of Birth:

The covered individual is the subject of a criminal charge/charges.
See attached sheet for more information.

The Maryland Criminal Justice Information System is operated under the authority of the Secretary of the Department of Public Safety and Correctional Services and does not contain data prior to 1978.

Carole Shelton

Carole Shelton, Director
Criminal Justice Information Systems
Central Repository

February 07, 2014 :

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
CLARKSBURG, WV 26306

ICN E

THE ENCLOSED RECORD, DATED 2014/02/06, WITH THE FBI NUMBER AND IAFIS CONTROL NUMBER (ICN) IS BEING PROVIDED AS THE RESULT OF CIVIL RETURN IDENT TEN-PRINT SUBMISSION. A CRIMINAL HISTORY REQUEST NOTIFICATION(S) WAS SENT BY THE FBI TO THE FOLLOWING ORGANIZATIONS, EXCEPT FOR THOSE INDICATING THAT THE REFERENCED SUBJECT IS DECEASED.
MARYLAND - STATE ID/MD
FBI - FBI/

SINCE THIS RESPONSE CONTAINS NATIONAL FINGERPRINT FILE (NFF) REGULATED DATA, THE RESPONSE MAY NOT BE COMPLETE. IF THE RESPONSE IS INCOMPLETE, PLEASE CONTACT THE CRIMINAL JUSTICE INFORMATION SERVICES DIVISION OR THE STATE BUREAU(S) TO REQUEST A COMPLETE RECORD.

MD
CJIS CENTRAL REPOSITORY
RECORDS SECTION TERM-2
6776 REISTERSTOWN RD
BALTIMORE, MD 21215

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
CLARKSBURG, WV 26306

MD ICN

TCN

THE FBI IDENTIFIED YOUR TEN-PRINT SUBMISSION WHICH CONTAINED THE FOLLOWING DESCRIPTORS:

NAME
DATE ARRESTED/FINGERPRINTED 2014/02/06
SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR

STATE ID BIRTH PLACE
MC MARYLAND

CITIZENSHIP
UNITED STATES

OTHER BIRTH SOCIAL
DATES SCARS-MARKS-TATTOOS SECURITY MISC NUMBERS
NONE NONE ONE

ALIAS NAME(S)
NONE

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Example: Need Clark'sberg
WVA

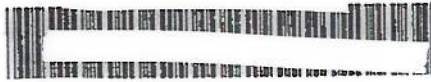
State of Maryland
Department of Public Safety and Correctional Services

Deputy Secretary

Chief Info. Officer

Deputy Chief Info. Officer

Director



Governor

Lt. Governor

Secretary

Information Technology and Communications Division

Criminal Justice Information System - Central Repository
Post Office Box 32708 - Pikesville, Maryland - 21282-2708
Main No: 410-764-4501 - Toll Free: 1-888-795-0011

www.dpscs.state.md.us


Received : 09/03/2013
Reference

Originally printed:

September 04, 2013

Your request for a criminal history record check has been conducted. Information from the Federal Bureau of Investigation (FBI), based upon the fingerprint supported identification information indicated below, has been reviewed.

Name: _____
Sex: _____ Race: _____ Date of Birth: _____

 The covered individual is the subject of a criminal charge/charges.
See attached sheet for more information.

The Maryland Criminal Justice Information System is operated under the authority of the Secretary of the Department of Public Safety and Correctional Services and does not contain data prior to 1978.

Carole Shelton

Carole Shelton, Director
Criminal Justice Information Systems
Central Repository

September 04, 2013 :



The FBI criminal history investigation has been completed. The covered individual is the subject of criminal charges per the FBI Criminal History Report. Federal Public Law 92.544 prohibits the dissemination of information regarding these charges.

