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**ACL 17-02**

Date: March 1, 2017  
To: Community-Based Adult Services (CBAS) Providers  
From: California Department of Aging (CDA) CBAS Branch  
Subject: Fingerprint Clearance Background Check Requirements

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### **Purpose**

The purpose of this All Center Letter is to notify CBAS providers of fingerprint clearance background check requirements set forth in Title 42, Code of Federal Regulations (CFR), Section 455.434.

### **Background on Federal Regulations**

Federal law requires that all state Medicaid agencies comply with the process for screening providers under Title XIX of the Social Security Act, Sections 1902(a)(39), 1902(a)(77), and 1902(kk). Federal law requires a CBAS provider or any person with a five percent or more direct or indirect ownership interest to consent to criminal background checks, including fingerprinting, when required by state law or by the level of screening, based on the risk of fraud, waste, or abuse. CBAS providers and individuals that are categorized as "high risk" providers are subject to criminal background checks and fingerprinting requirements.

### **Requirements**

Upon notification from CDA, "high risk" providers will be required to consent to criminal background checks, including fingerprinting, within the defined period indicated in the notice. Any CBAS provider that fails the background check or fails to respond to the criminal background check requirement will be terminated from or denied enrollment in the Medi-Cal program.

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**Questions**

For questions about this letter, please call the CBAS Branch at (916) 419-7545.