

AMENDATORY SECTION (Amending WSR 09-22-043, filed 10/28/09, effective 12/1/09)

WAC 170-290-0143 In-home/relative providers-Background checks-Required persons. (1) Background checks for eligible licensed and certified providers are covered under chapter 170-06 WAC.

(2) A background check must be completed for:

(a) All in-home/relative providers who apply to care for a WCCC consumer's child; and

(b) Any individual sixteen years of age or older who is residing with a provider when the provider cares for the child in the provider's own home where the child does not reside.

(3) A background check must be completed for individuals listed in subsection (2)(a) and (b) of this section at least every two years.

(4) Additional background checks must be completed for individuals listed in subsection (2)(a) and (b) of this section when:

(a) Any individual sixteen years of age or older is newly residing with a provider when the provider cares for the child in the provider's own home where the child does not reside;

(b) DSHS has a valid reason to check more frequently;

(c) An in-home/relative provider applies to provide care for a family, such as when:

(i) A break in service occurs to the current consumer;

(ii) There is a break in consumer eligibility; or

(iii) A provider is currently providing care and there are no prior background results for this provider.

(5) DSHS does not need to request a new background check for an individual in subsection (2)(a) or (b) if:

(a) DSHS has results that were received no more than ninety days prior to the current requested start date of care; and

(b) The results indicate there is no record.

AMENDATORY SECTION (Amending WSR 12-11-025, filed 5/8/12, effective 6/8/12)

WAC 170-290-0160 In-home/relative providers-Background checks-Disqualified providers. (1) DSHS permanently disqualifies the person as an in-home/relative provider for WCCC if:

(a) ~~((A consumer's))~~ The provider or an individual listed in WAC 170-290-0143(2) has a background containing a permanently disqualifying conviction for crimes on the DEL director's list in WAC 170-06-0120(1); or

(b) Care takes place in the provider's home where the child does not reside and the ((in-home/relative)) provider ((intentionally or)) knowingly gives DSHS incorrect or misleading information or withholds information as to whether an individual sixteen years of age or over living with the provider is a registered sex offender.

(2) If the conditions in WAC 170-290-0167 (1)(a) and (b) are met, the disqualifying background of an individual sixteen years of age or over living with the provider may not permanently disqualify the provider. This subsection does not apply to subsection (1)(b) of this section.