

INITIAL FAQs – JUNE 2014

BACKGROUND STUDY CHANGES Laws of Minnesota 2014, Chapter 250

#	Question	Answer
1	When will fingerprints and photos be required?	Beginning in January 2015, background study subjects will be required to include fingerprints and a photograph as part of their background study request.
2	When will providers be able to use the new NETStudy 2.0 system?	Providers will begin to use the new NETStudy 2.0 system beginning in January 2015. Use of NETStudy 2.0 will be phased in between January and April 2015.
3	How will providers be informed about all of the background study changes?	DHS will hold stakeholder information and feedback meetings in eight locations throughout the state between July and October 2014. Additionally, DHS will provide written training materials and training sessions that will be available electronically. These will likely be short YouTube “how to” videos on specific parts of the NETStudy 2.0 system and fingerprinting process. There will also be a written manual for the NETStudy 2.0 system.
4	Do all staff have to be fingerprinted?	Current staff do not have to be fingerprinted. Fingerprints are only required for people who are otherwise need a background study. For most programs, this applies to people who provide direct contact services when they are hired or in some cases change jobs within an agency. Notes: <ul style="list-style-type: none">• All employees in nursing facilities must have a background study.• There is no change in when a background study is required or who is required to have one.
5	How long does it take to be fingerprinted?	It only takes about five to ten minutes. Fingerprints will be scanned electronically. Use of “ink and roll” fingerprints on cards that are mailed to DHS is eliminated.
6	What will the fee for fingerprints be?	DHS expects the cost to be \$10.00 to \$15.00. This will be a one-time cost for most people.

#	Question	Answer
7	Who is required to pay for the fee for fingerprinting?	The law does not specific who was responsible to pay the fee for fingerprinting. Either the employer or background study subject may pay. The fee is paid directly to the fingerprint vendor. It does not go to DHS and is not included in the background study fee.
8	How often do people have to be fingerprinted?	Once, in most cases. After a person has a background study in the new system and is cleared to work, fingerprints will not be required again for the vast majority of people.
9	Do volunteers have to be fingerprinted?	Not all volunteers are required to have a background study. Whether a background study is required is based on what roles the people have and the level of supervision they are provided. If a DHS background study is required and the request is received after implementation of the new background study system, fingerprints will be required. Note: The law did not change for who or when a background study is required.
10	Where do people go to be fingerprinted?	There will be locations throughout the state. DHS will be contracting with a vendor to provide “livescan” fingerprint services. Background study subjects will not go to law enforcement agencies to be fingerprinted.
11	How far do people have to drive and wait to be fingerprinted?	There will be fingerprinting locations throughout the state. The vendor that furnishes the service will be required to provide hours of operation that are convenient to customers. DHS expects that people generally will not have to drive more than 40 miles (one way) or wait more than two or three days at the most to be fingerprinted. In some areas the distance may be far less than 40 miles and some locations may be open daily.
12	Can a background study be submitted before a person is fingerprinted?	Yes. Providers will enter the background study request in NETStudy 2.0 which will prompt a privacy notice to be given to the background study subject. The notice includes a code that the fingerprint vendor needs to capture the fingerprint images.
13	Are fingerprints stored and used again?	Neither DHS nor the Minnesota Bureau of Criminal Apprehension (BCA), nor the fingerprint vendor will maintain electronic fingerprint images. In cases that require the fingerprint images to be forwarded to the Federal Bureau of Investigation for a national criminal record search (as required in current law), the fingerprint images will be kept by the FBI.

#	Question	Answer
14	The law just changed to permit people to be absent for up to 120 days before needing a new background study. Does that change with the new DHS system?	Under the new background study system using NETStudy 2.0, people remain “affiliated” with an entity by being on the entity’s “active roster.” As long as a person is on an active roster, a new background study for that entity is not needed. There is no time limit for how long a person may be absent from providing direct contact services and stay on an entity’s active roster.
15	What is an entity’s active roster?	The entity’s active roster is a list of people who have a background study status that allows them to provide services for that entity. This includes staff, volunteers, and others who have a completed background study that resulted in a clearance, set aside, limited set aside, or variance.
16	Why are rosters important?	Rosters provide the list of people for whom DHS will receive new criminal information from the state court system. The court information eliminates the need to repeat background studies on people because DHS will be informed if people (on rosters) commit acts that could cause them to be disqualified.
17	How are rosters set up?	DHS will set up the first rosters for entities using the background studies that have been completed for that entity on people who were not disqualified. As entities submit background study requests in NETStudy 2.0, the people will be added to the entity’s active roster. More information will be provided about this before the phase in begins in January 2015.
18	How do I get more information?	Information is available on the Department of Human Services web site at www.dhs.state.mn.us/nbcp-initiative , including the ability to subscribe to the background study listserv to receive updates about the changes. Questions about the background study changes may be submitted to DHSBackgroundStudyGrant@state.mn.us .