

## 2014 Background Study Changes

### **Laws of Minnesota 2014, Chapter 250**

The changes will be phased in beginning in early 2015.

#### **Background Study Enhancements**

Several significant enhancements were authorized that will improve the accuracy of DHS background studies and increase protections for vulnerable adults and children who receive services from those who have a background study. The changes will include use of:

- Fingerprints to complete all background studies;
- Photographs to confirm the identity of background study subjects; and
- Real-time updates of criminal case information from the Minnesota courts to

The changes also include use of new electronic systems to initiate background study requests and for providers to receive determinations.

### **Laws of Minnesota 2014, Chapter 228, Article 5**

The following changes are effective May 2014

#### **When a background study must occur**

**(Minnesota Statutes, section 245C.04)**

1. This provision extends the amount of time someone can be absent from a position from 90 to 120 days without needing a new background study.
2. This provision also requires the license holder or program to initiate a new background study when an individual changes his or her legal name. *Section 1*

#### **Information Commissioner Reviews**

**(Minnesota Statutes, section 245C.08)**

This section requires a fingerprint-based Minnesota Bureau of Criminal Apprehension record check when the identity of a subject is uncertain (using just name and date of birth). *Section 3*

#### **Background studies initiated by program**

**(Minnesota Statutes, section 245C.20)**

This provision requires licensed programs to document the date of the background study and when the subject first had direct contact with people served by the licensed program. *Section 5*