Policy Title: Background Check Policies

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Brief Description
Untapped Workers: *Revise policies that are keeping people from being eligible for employment; eliminate inconsistency across IRIS and other adult Long Term Care programs.*
Recommendation: To expand the Direct Support Professional pool of applicants by eliminating barriers to hiring related to background checks and creating consistent hiring criteria across all adult Long Term Care programs.

- Uncover the existing barriers and inconsistencies that prohibit the hiring of individuals with similar background check findings in IRIS.
    - Agencies supporting IRIS participants estimate that 10% of IRIS worker applicants have background check issues that make them ineligible for hire. This equates to 2,606 untapped workers calculated as follows: As of December 1, 2019 the IRIS enrollment map shows 20,044 participants/consumers.
    - Fiscal agencies estimate an average of 1.3 workers for each participant. Calculation of 20,044*1.3 = 2606
    - In addition, agencies supporting IRIS participants estimate that 10% of individuals do not apply for these positions due to the background check criteria. This equates to an additional 2606 untapped workers.
- The current experience suggests that requests to hire individuals are often family members or friends who are currently providing unpaid support for these same services.
- Seek clarity from DHS regarding the decision to expand the list of convictions that create the "bar from employment" list within IRIS.
- IRIS program move toward the same background check hiring criteria that other adult Long Term Care programs maintain.
- Use consistent risk agreement criteria based on informed consent disclosed by the background check.
- Develop targeted recruitment strategies to address this untapped workforce.
- Develop better quality-monitoring initiatives to support the health and wellbeing of consumers who choose to hire individuals with a risk agreement.
- Explore the success of the State Rehabilitation Program.
- Phase II: Explore a portable background check.
    - Recommendation to the registry group?
    - Federal background check options.

Analysis

- Anticipated benefits
  - ➢ Increase the potential applicant pool of Direct Support Professionals (DSP).
  - ➢ This will allow IRIS participants to hire individuals who currently are not eligible.
  - ➢ Supports the choice of consumers who wish to hire individuals with prior convictions, allowing friends or family members to continue to provide supports and earn wages.
  - ➢ Creates equity and consistency among all adult Long Term Care programs and recipients.
  - ➢ This supports equity and inclusion principles by reducing bias and discrimination for individuals who are attempting to re-enter the workforce and make a positive contribution to their community.

- Potential funding options/cost savings/benefits.
  - ➢ In some instances, an IRIS participant could hire the same Direct Support Professional at a lower cost with this proposal.
  - ➢ The WI State Medicaid Program could achieve cost savings through the efficiency of IRIS participants hiring DSP directly could reduce the amount of IRIS consumer budget amendments.
  - ➢ Allows for employment of rehabilitated individuals with a criminal history, which could minimize use of other public funded services and increase the tax base.

- State agency or other entity would be responsible for implementing the proposal, if approved.
  - ➢ DHS
  - ➢ DWD
  - ➢ Criminal Justice System
  - ➢ State Rehabilitation Program
  - ➢ IRIS Consulting Agencies
  - ➢ IRIS Fiscal Employer Agents
  - ➢ Self-Directed IRIS Participants
  - ➢ Provider Agencies

- Cost estimate
  - ➢ Potential low administrative costs associated with:
    - ✦ Recruitment and onboarding of this workforce
    - ✦ Developing system wide risk agreement criteria/ process

✦ Data collection and related quality initiatives to ensure the health and safety of consumers employing individuals with a risk agreement.