



CORPORATE GUARDIANSHIP BACKGROUND CHECK PROCESS

Department of Health Services / Division of Quality Assurance

P-01926 (08/2017)

Wisconsin Administrative Code §§ [DHS 85.06\(2\)](#) and [DHS 85.09\(3\)](#) outline the requirements for criminal background checks for corporate guardianship agencies and their employees.

The Caregiver Law, Wis. Stat. § [50.065\(2\)](#), requires **two types** of caregiver background checks for corporate guardianship programs that are approved by the Division of Quality Assurance (DQA).

1. **Corporate Guardianship Owner/Program Manager.** DQA completes background checks on license applicants/legal representatives prior to the approval of any new license, certification, or registration of a DQA-regulated facility. DQA also completes caregiver background checks on all existing license holders/legal representatives every four years. (See Chapter 3 of the *Caregiver Program Manual*.)
 - a. This “entity” background check is separate from the employee background check.
 - b. DQA, Office of Caregiver Quality (OCQ) sends the notification for this background check every four years to all owners/license holders/legal representatives.
 - c. Background checks are completed by DQA for all entities in the same four-year cycle. Therefore, the four-year cycle does not necessarily start in the year that the corporate guardianship was first approved. Entity background checks were completed in 2017 (DQA Memo 17-004) and will be required every four years thereafter.
 - d. For information, see DQA Memo 17-004 at <https://www.dhs.wisconsin.gov/dqa/memos/17-004.pdf>. All **entity** background checks will be completed in calendar year 2017 and every four years thereafter.
 - e. For additional information, see: <https://www.dhs.wisconsin.gov/caregiver/entity.htm>.
2. **Corporate Guardianship Representatives/Employees.** At hire, and every four years thereafter, the corporate guardianship agency must complete the employee background check for all employees and contractors of the corporate guardianship agency. See Chapters 1 and 2 of the *Caregiver Program Manual* (DQA publication P-00038) at <https://www.dhs.wisconsin.gov/publications/p0/p00038.pdf>.
 - a. “Caregiver” is defined as a person who is employed by or under contract with the entity, has regular direct contact with the entity's clients or the personal property of the clients, and is under the entity's control.
 - b. The corporate guardianship agency must have a *Background Information Disclosure (BID)*, (DHS form F-82064) completed by each employee, at hire and every four years thereafter, and keep the BID on file as part of the employee's personnel records. See <https://www.dhs.wisconsin.gov/forms/f8/f82064.pdf>.
 - c. A background check for each employee must be completed, on hire and every 4 years thereafter, on the Department of Justice (DOJ) Wisconsin Online Record Check System. Choose "Caregiver" as the Background Request Type. See: <https://recordcheck.doj.wi.gov/>
 - d. The corporate guardianship agency should review employee background check results closely. There are offenses that would bar employees from working as a caregiver in the State of Wisconsin and others that need additional review. See *Offenses Affecting Caregiver Eligibility for Chapter 50 Programs* (DQA publication P-00274) at <https://www.dhs.wisconsin.gov/publications/p0/p00274.pdf>.

If you have questions about either the employee background check process or the license holder background check process, email OCQ at DHSCaregiverIntake@dhs.wisconsin.gov or call 608-261-8319.