



CAREGIVER BACKGROUND CHECK DOCUMENTATION REQUIREMENTS

Wisconsin Department of Health Services / Division of Quality Assurance / Office of Caregiver Quality
P-03513 (01/2024)

Purpose: The following table identifies documentation that the Division of Quality Assurance uses to verify entity compliance with employee and contractor caregiver background check requirements under s. 50.065, Wis. Stats. and ch. DHS 12, Wis. Admin. Code. For questions about the [Background Check Program](#) please email dhsdqbackgroundchecks@dhs.wisconsin.gov.

Caregiver's first day of employment / contract	No later than 60 days ⁱⁱ following first day of employment / contract, provided caregiver is supervised ⁱⁱⁱ ; otherwise, requirements apply on first day of employment / contract	No later than 4 years from date of most-recent Background Information Disclosure
PART A	PART B	PART C
<p>EITHER</p> <p>1) Clean Background Information Disclosure (BID) (DHS Form F-82064) Section A questions 2. through 7. and Section B question 1., 2. and 7. are checked "No"</p> <p>OR</p> <p>2) Offense/s disclosed and letter of Rehabilitation Approval</p> <p>a) One or more questions from Section A, 2. through 7. and/or Section B questions 1. or 2. are checked "yes"</p> <p>and</p> <p>b) Section B question 7. is checked "Yes"</p> <p>and</p>	<p>PART A requirements must be met, AND</p> <p>EITHER</p> <p>1) Individual is age 18 or older Entity must have one of the following:</p> <p>a) <i>Results from a "caregiver" background check from the WI Department of Justice WORCS system^v:</i></p> <p>i) Either a "no record found" response or a criminal record transcript and</p> <p>ii) Governmental Findings Report (previously IBIS letter).</p> <p>or</p> <p>b) Letter from third-party background check vendor^{vi} with the following:</p> <p>i) Names and social security numbers, if available;</p> <p>ii) Any convictions;</p> <p>iii) Any substantiated findings of misconduct, licensure denial or restrictions;</p> <p>iv) Any other DHS or DSPS credential limitation.</p> <p>and (for all that apply)</p> <p>c) Pending charge for serious crime^{vii} Documentation of <i>every reasonable effort</i> to contact the clerk of courts to obtain the criminal complaint and determine final disposition of the charge.</p>	<p>EITHER</p> <p>1) A newly completed BID, as specified in PART A 1) or 2)</p> <p>OR</p> <p>2) Entity has enacted a disclosure policy under s. 50.065(6)(am), Wis. Stats.,</p> <p>AND</p> <p>All applicable PART B documentation</p>

<p>c) Individual has specified the review date and indicated that rehabilitation approval was granted for any/all offenses disclosed in Sections A and B</p> <p>And</p> <p>d) Entity obtained letter of rehabilitation approval directly from the Department of Health Services or Department of Children & Families^{iv}</p> <p>And</p> <p>Rehabilitation Approval letter indicates approval for the offense/s and provider type</p>	<p>d) Non-barring enumerated conviction Documentation of <i>every reasonable effort</i> to contact the clerk of courts to obtain a copy of the criminal complaint and judgment of conviction relating to that violation.</p> <p>e) Rehabilitation review, not disclosed on BID Documentation specified in PART A, 2), d)</p> <p>f) Discharge from branch of U.S. armed forces in past 3 years Documentation of good faith effort to obtain documentation of reason for discharge, such as DD214 form.</p> <p>g) Current or previous out of state residence in the past 3 years Documentation of good faith effort to obtain equivalent background check from applicable US state or jurisdiction.</p> <p>h) Entity is a personal care agency and individual has conviction specified in Table DHS 12.115 Documentation of notifications required under s. 50.065(2m), Wis. Stats.</p> <p>OR</p> <p>2) Individual is under 18 years of age and entity has no reason to believe they have been convicted of a <i>serious crime</i>, have committed client abuse, neglect, misappropriation, child abuse or neglect, or have been restricted by DSPS to provide client care No further documentation needed, until caregiver attains age 18 or until entity has reason to believe there is a change in eligibility.</p>	
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ⁱ *Caregiver* means a person who is, or is expected to be, an employee or contractor of an entity, who is or is expected to be under the control of an entity, as defined by the department by rule, and who has, or is expected to have, regular, direct contact with clients of the entity. (see 50.065(1)(ag)1.a, Wis. Stats.)

ⁱⁱ See s. 50.065(4m)(c), Wis. Stats.

ⁱⁱⁱ See DHS 12.11, Wis. Admin Code

^{iv} For contact and guidance see <https://www.dhs.wisconsin.gov/publications/p6/p63160.pdf>

^v See <https://www.dhs.wisconsin.gov/misconduct/employee.htm> & <https://recordcheck.doj.wi.gov/>

^{vi} See s. DHS 12.04, Wis. Admin Code

^{vii} *Serious Crime* means a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4), (5) or (6), 940.198 (2), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2) (a) or (5) (a) 1., 2., or 3., or a violation of the law of any other state or United States jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4), (5) or (6), 940.198 (2), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2) (a) or (5) (a) 1., 2., or 3. if committed in this state (see s. 50.065(1)(e)1., Wis. Stats.)