
Fingerprinting and Criminal Record Check Regulations

Katie Ravel
Director, Program Policy

California Health Benefit Exchange Board Meeting
May 23, 2013



Fingerprinting and Criminal Record Check Regulations: Overview

- Regulations implement background check policy adopted in March to comply with federal requirements
- Collaborative stakeholder process
- State legislative authority still needed
- Background check process for Assisters outlined in Assisters regulations



Fingerprinting and Criminal Record Check Regulations: Key Provisions

- Covered California shall require fingerprint images and associated criminal history information from individuals whose duties include or would include any of the following:
 - Access to Federal Tax Information
 - Access to Personal Identifying Information
 - Access to Personal Health Information
 - Access to confidential or sensitive information provided by a member of the public including, but not limited to, a credit card account number or social security number
 - Access to cash, checks, or other forms of payment and accountable items
 - Responsibility for the development or maintenance of the CalHEERS system and other critical automated systems of Covered California
 - Access to information technology systems of Covered California



Fingerprinting and Criminal Record Check Regulations: Key Provisions

- Individuals whose duties require fingerprinting will submit fingerprint images and all related information to the Department of Justice for the purpose of obtaining information of state or federal convictions, certain arrests and subsequent notifications.
- Covered California will review the criminal history of individuals whose duties require fingerprinting in order to make a determination of an individual's fitness to perform duties or functions.
- If the state or federal level criminal records contain a conviction of a felony, misdemeanor, or pending criminal charge related to a crime of moral turpitude that is substantially related to the qualifications, functions, or duties of the specific employment, it shall be justification for denial for an individual to serve in a Covered California role that requires fingerprinting. Covered California shall take under consideration the nature of the job held or sought, the age, nature and gravity of the offense, and any evidence of rehabilitation.
- Covered California shall pay any costs for furnishing the fingerprints and conducting the searches of all employees and prospective employees.

