

NEW YORK STATE DEPARTMENT OF CIVIL SERVICE

DIVISION OF STAFFING SERVICES

GENERAL INFORMATION BULLETIN No. 05-03

TO: Directors of Institution Human Resources Management *in the Department of Health Veterans Homes*
FROM: Terry Jordan, Director of Staffing Services
SUBJECT: Criminal Records Check of Applicants and Appointments to Non-Licensed Titles Involved in the Direct Care or Supervision of Patients
DATE: August 26, 2005

The Department of Health (DOH) Criminal History Record Check Program (CHRC) requires changes to current eligible list canvassing and processing procedures for the following titles:

Lists certified from Department of Civil Service (DCS)

Calculations Clerk 2
Dietitian 2
Food Service Worker 2
Head Housekeeper
Nutrition Services Administrator 1
Recreation Therapist
Head Recreation Therapist
Sr. Recreation Therapist

Lists decentralized to DOH for certification

Food Service Worker 1
Medical Social Worker A
Nursing Home Activities Assistant 1
Nursing Station Clerk 1

The following actions may be taken by appointing authorities in the Department of Health in reviewing a list eligible's suitability for appointment:

1. If the candidate attests to one of the Disqualifying Offenses listed in 1-5 of the Guidelines for NYS DOH Criminal History Record Check Program, the facility may request that DCS Employment Records place an agency-specific restriction against the candidate's name on the eligible list. If the list is decentralized to DOH, the agency may restrict the individual for the life of the list but must notify DCS Employment Records to that effect. The agency may then proceed to canvass further down the list.

2. Candidates not automatically barred from DOH employment by listing a Disqualifying Offense may be:

- Coded non-select, **or**

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- Hired on a temporary basis for 60 days. The facility must notify DCS Employment Records that the temporary appointment is pending CHRC clearance. The appointment may be extended for an additional 60 days upon notification to DCS that the CRHC has not been completed.
- Candidates may **not** be coded as TI (temporarily unavailable)

3. Although candidates may be initially appointed on a temporary basis pending the CHRC, these lists must be canvassed for permanent appointment in order to determine each candidate's reachability for later permanent appointment, upon clearance.

4. Candidates hired on a temporary basis who are, upon CHRC review, deemed "not suitable" for employment in a DOH direct care position will be treated as follows:

- If the list is a centralized list from DCS, the facility may provide appropriate documentation and request that DCS Employment Records place an agency-specific restriction against the candidate's name on the eligible list.
- If the list is decentralized, the agency may restrict the individual for the life of the list but must notify DCS Employment Records to that effect.

Questions regarding issuance of a new budget waiver should be directed to Gayle Casale at (518) 457-3780.