

**10A NCAC 70E .1116 CRIMINAL HISTORY CHECKS**

(a) The supervising agency shall complete the following activities at initial licensure for new foster parent applicants and any member of the prospective foster parents' household who is 18 years of age or older:

- (1) furnish the written notice as required by G.S. 131D-10.3A(e);
- (2) obtain a signed consent form for a criminal history check and submit the signed consent form to the Department of Health and Human Services, Criminal Records Check Unit;
- (3) obtain two sets of fingerprints on SBI identification cards and forward both sets of fingerprints to the Department of Health and Human Services, Criminal Records Check Unit. Once an individual's fingerprints have been submitted to the Department of Health and Human Services, Criminal Records Check Unit, additional fingerprints shall not be required;
- (4) conduct a local criminal history check through accessing the Administrative Office of the Courts and the Department of Corrections Offender Population Unified System and submit the results of the criminal history checks to the licensing authority;
- (5) obtain a signed statement that:
  - (A) the individual has no criminal, social or medical history which would adversely affect their capacity to work with children and adults;
  - (B) obtain a signed statement that the individual has not abused or neglected a child, been a respondent in a juvenile court proceeding that resulted in the removal of a child, or had child protective services involvement that resulted in the removal of a child; and
  - (C) obtain a signed statement that the applicant has not abused, neglected, or exploited a disabled adult and has never committed an act of domestic violence upon another person;
- (6) conduct a search of the North Carolina Sex Offender and Public Protection Registry; and
- (7) conduct a search of the North Carolina Health Care Personnel Registry pursuant to G.S. 131E-256.

(b) The supervising agency shall conduct a local criminal history check through accessing the Administrative Office of the Courts and the North Carolina Department of Public Safety, Division of Adult Correction, Offender Information and submit the results of the criminal history checks to the licensing authority at relicensure for foster parents and any member of the prospective foster parents' household 18 years of age or older.

(c) Every two years, the supervising agency shall require that foster parents and any adult member of the household provide:

- (1) a signed statement that the individual has no criminal, social, or medical history which would adversely affect their capacity to work with children and adults;
- (2) a signed statement that the individual has not abused or neglected a child, been a respondent in a juvenile court proceeding that resulted in the removal of a child, or had child protective services involvement that resulted in the removal of a child;
- (3) a signed statement that the applicant has not abused, neglected, or exploited a disabled adult and has never committed an act of domestic violence upon another person; and
- (4) a signed statement that the applicant is not listed on the North Carolina Health Care Personnel Registry pursuant to G.S. 131E-256.

*History Note: Authority G.S. 131D-10.1; 131D-10.3; 131D-10.3A; 131D-10.5; 143B-153; Eff. September 1, 2007; Amended Eff. August 1, 2017; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*