# Negotiated Rulemaking IDAPA 16.07.20 Section 009 Criminal History and Background Check Requirements

Open to the General Public

## April 22, 2013

12:30—2:30pm (MDT) 1:30—3:30pm (PDT)
Video Conferencing at published regional locations
Conference Call #: 1-866-210-1669
Participant #: 1547741

## April 24, 2013

1:00—3:00pm (MDT) 2:00—4:00pm (PDT)
Video Conferencing at published regional locations
Conference Call #: 1-866-210-1669
Participant #: 1547741

### **Background**

The Division of Behavioral Health (DBH) is currently working to build a peer recovery system and the current requirements around background checks have been identified as a barrier in Idaho. The current requirement in IDAPA 16.07.20 does not work for the services being provided and does not fit the model of recovery services that DBH is promoting. DBH has also received complaints from substance use disorders treatment providers regarding the current rule as it negatively impacts their workforce and their ability to provide treatment services.

#### **Purpose**

The purpose of the negotiated rulemaking is to seek a consensus from providers, members of the public and other interested parties on changes to the content for Criminal History and Background Check Requirements in IDAPA 16.07.20—Alcohol and Substance Use Disorders Treatment and Recovery Support Services Facilities and Programs. The meeting is informal and is an open discussion where attendees have an opportunity to ask questions, express opinions and offer suggestions during the rule change process.

### Intent of the Rule Change

The intent of the rule change is to have Criminal History and Background Check Requirements that both protect the client and acknowledge those who are successful in their recovery by allowing them to work in the treatment field.

#### **Discussion Points**

- Disqualifying Crimes
- Limitations—Medicaid/Mental Health/Programs licensed under Child Care Licensing Rules
- Process—Provider discretion for employing
- Distinguishing between clinicians/licensed professionals and peer specialists/recovery coaches
- Other discussion from attendees

Written comments may be submitted to:

Treena Clark, Program Specialist IDHW, Division of Behavioral Health P.O. Box 83720 Boise, Idaho 83720-0036 clarkt@dhw.idaho.gov