

## Operational Policy

<b>Policy title:</b>	Background Checks		
<b>Policy number:</b>	ODHS OHA 060-010		
<b>Original date:</b>	01/01/2002 (DHS only)	<b>Last update:</b>	02/07/2022 (Joint ODHS OHA)
<b>Approved:</b>	Kris Kautz, OHA Deputy Director Don Erickson, ODHS Chief Administrative Officer		

### Purpose

The Oregon Department of Human Services (ODHS) and Oregon Health Authority (OHA) are committed to the safety and protection of individuals and the sensitive information that the agencies hold, much of which is protected by statute or rule. To support this commitment the agency conducts background screening for employees, volunteers, contractors and applicants for criminal or abusive behavior.

### Description

This policy describes the responsibility of ODHS|OHA to perform background screening of applicants, employees, volunteers, and contractors in order to protect the Oregonians ODHS and OHA serve, and maintain the security of information assets and systems.

### Applicability

This policy applies to ODHS and OHA subject individuals as defined by rule including specific contractors and all staff and prospective staff, including employees, volunteers, and interns.

As keepers of the public trust, all agency employees have a responsibility to comply with state and agency policies, administrative rule, and state and federal law. The agency takes this responsibility seriously and failure to fulfill this responsibility is not treated lightly. Employees who fail to comply with state and agency policies, administrative rule, and state and federal law face progressive discipline, up to and including dismissal from state service.

To ensure the public trust, subject individuals may be required to undergo background screening when changes in work classification, functions or new criminal or abuse history occur. These changes include but are not limited to the following:

- New hires;
- Promotions and demotions;
- Direct appointments;
- Re-employment;
- Job rotation, work out of class, and developmental assignment;
- Transfers;
- Temporary and agency temporary hires;
- Temporary to permanent;

- Rotation or work out of class to permanent;
- Job duty changes;
- Federal or state screening requirements change;
- New criminal or abuse history disclosure;
- The Background Check Unit (BCU) or the Office of Human Resources (HR) has reason to believe an individual has new or undisclosed criminal or abuse history; or,
- A break in service.

It does not apply to redeployment in an emergency situation as defined by the Director of HR, or lateral transfers within the same position title and classification with no job duty changes.

## Policy

1. ODHS|OHA shall conduct reasonable criminal history and protective services screening on all subject individuals in accordance with federal and state law and rules, and Department of Administrative Services (DAS) and ODHS|OHA policies.
  - a. ODHS|OHA are authorized to conduct reasonable screening by Oregon Revised Statutes (ORS) 181A.195, 181A.215, 409.027 and 413.036.
  - b. All agency staff, prospective staff, and specific contractors are subject individuals.
  - c. Subject individuals shall pass additional screening and specialized security training prior to being granted unescorted access to federally protected data, systems or areas, including but not limited to the following:
    - A. Criminal justice information (CJI), and systems or areas where CJI is accessed, stored, or used.
    - B. Federal tax information (FTI), and systems or areas where FTI is accessed, stored, or used.
    - C. Systems, areas, or data under federal mandate of the Social Security Administration (SSA).
2. All subject individuals, including all agency staff, shall notify their Office of Human Resources (HR) within five (5) days of being arrested, charged or convicted of any crime.
3. All subject individuals, including all agency staff, shall notify their HR department within five (5) days of notification if the subject individual is notified that they have been identified as an alleged perpetrator, reported perpetrator or accused person in an abuse investigation.
4. The Background Check Unit (BCU) or HR may determine new screening is required when changes in work classification, functions, or new criminal or abuse history occur.

## References

[ORS 181A.195](#)

[ORS 181A.200](#)

[ORS 181A.215](#)

[ORS 409.027](#)

[ORS 409.050](#)

[ORS 413.036](#)

[OAR 125-007-0200 through 125-007-0330](#)

[OAR 407-007-0000 through 407-007-0100](#)

[OAR 407-007-0400 through 407-007-0460](#)

[Criminal Justice Information Services \(CJIS\) Security Policy](#)

## **Related policies and processes**

[ODHS-060-010-01 Background Checks on Non-Institution DHS Employees](#)

[ODHS-060-010-02 Background Checks on Institution DHS Employees](#)

[ODHS-060-010-03 Reporting of New Criminal or Abuse Activity](#)

[ODHS-060-010-04 Background Checks on Volunteers](#)

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## **Policy history**

01/01/2022 DHS only policy

01/01/2003

07/01/2005

10/18/2007

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01/03/2022 Joint ODHS|OHA policy

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Background check, background check unit, subject individual, screening, criminal, abuse, abusive, reporting, CJIS, FTI, IRS, SSA, hiring

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