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PIN 26-09-CCLD
(Supersedes PIN 24-02-CCLD)

TO: ALL CCLD FACILITY LICENSEES AND PROVIDERS

FROM: ***Original signed by Kevin Gaines***
KEVIN GAINES, Deputy Director
Community Care Licensing Division

SUBJECT: **UPDATED GUARDIAN & BACKGROUND CHECK BEST PRACTICES**

Provider Information Notice (PIN) Summary

PIN 26-09-CCLD ***supersedes PIN 24-02-CCLD*** and notifies all Community Care Licensing Division licensees, providers, and applicants of updated best practices when initiating a background check and provides step-by-step instructions on how to navigate the application process in the Guardian System.

The California Department of Social Services (CDSS), Community Care Licensing Division's (CCLD), Care Provider Management Branch (CPMB) is providing updated recommendations and guidance on the importance of using Guardian to apply for background checks, upload documents and access self-serve options.

Criminal History Information & Out-of-State Disclosure Requirements

As a result of the amendments to the Health and Safety Code per Assembly Bill 1720 (2021-2022) (AB 1720), the requirement for applicants to disclose criminal history information prior to receipt of Live Scan results has been discontinued, except those seeking approval for Resource Family Homes, and other home-based foster care approval programs governed by Health and Safety Code section 1522(d). To comply with AB 1720, CPMB updated its forms for the collection of criminal history information as well as out-of-state residence within the preceding five years. Please review [PIN 22-16-CRP](#) for further guidance on who is required to submit which disclosure form to CPMB.

Applicants subject to an Out-of-State Registry check are not authorized to work or be present in a licensed facility or approved home until the out-of-state child abuse and neglect registry check has been completed.

Application Process Recommendations

In order to eliminate the opportunity for delays, **it is strongly recommended that an applicant's first step be to start the application process in Guardian rather than going directly to the Live Scan vendor and submitting fingerprints.** Creating an application in Guardian prior to submitting fingerprints through a Live Scan vendor allows Department of Justice (DOJ) data to match successfully with the existing application in Guardian and helps eliminate unnecessary delays. However, when an individual goes directly to a Live Scan vendor and submits fingerprints without first creating an application in Guardian, vital information such as the responses to the Out-of-State Disclosure questions (applicable to Children's Residential facilities eligible to accept placement of a dependent child), email address, and facility association, is not captured. This requires CPMB to request further information from the applicant, which delays the background check process.

In an effort to provide the best customer service possible, CPMB is encouraging licensees, providers, and applicants to use the steps below to navigate the application process in Guardian.

Application Initiated by Applicant

Step 1: The applicant will need to obtain an Applicant Instruction Form from the licensee/provider that will provide a unique PIN code to the applicant. This unique PIN code is required to submit an application in the Guardian system.

Step 2: The applicant can then create a profile in the [Guardian Applicant portal](#) and follow the prompts and enter their personal information into the system. *Note: The applicant must have a valid email address to complete this step.*

Step 3: Once the applicant has submitted their application through the Guardian Applicant portal, the licensee/provider will receive a new application alert. The licensee/provider will retrieve the applicant's application under their "[Not Yet Submitted](#)" queue and can either resume (continue with the background check process) or withdraw (no longer interested in continuing with the background check process) the application.

Step 4: The licensee/provider may then resume and finalize the application. Guardian will generate a prepopulated Live Scan form for the applicant to use when submitting their fingerprints to a Live Scan Vendor. Using the prepopulated form ensures all information on the form is accurate.

Step 5: The applicant takes the prepopulated Live Scan form to a Live Scan Vendor and submits fingerprints.

Step 6: Applicants are currently clearing within approximately 14 days when ALL the following criteria is met:

- No criminal history reported by California DOJ.
- No criminal history reported by Federal Bureau of Investigations (FBI).
- No record in California Child Abuse Central Index (CACI) (if applicable).
- The applicant has not lived Out-of-State within the last five years (Children's Residential Adam Walsh and Resource Family Approval facility types only).
- No match found in the Administrative Action Records System (AARS).

For applicants with no criminal history, if a Criminal Record Clearance is granted, a Clearance letter will be sent to the applicant and the licensee/provider. The letter is also viewable in the Guardian applicant and licensee/provider profiles. *Note: Please keep in mind, pursuant to Health and Safety Code section 1522(c)(2), DOJ has 14 days to provide criminal record history to CDSS.*

In situations where any of the above is not met, the time to process the application will vary. See [PIN 21-22-CCLD](#) and [Background Checks Demystified](#) for more detailed information on the background check process and when to expect delays.

Detailed user information for the Guardian system can be found starting on page 18 of the [Agency Guardian User Guide](#).

Application Initiated by Licensee/Provider

Step 1: It is recommended the licensee/provider inquire if the applicant has ever been associated to a CCLD facility or home and, if so, utilize the applicant's Per ID to search for their profile in Guardian. The applicant may have their Per ID from prior documentation received from CPMB.

Step 2: If applicant does not have a Per ID or is unable to provide their Per ID, the licensee/provider should conduct a thorough person search in Guardian to verify if a profile already exists for the applicant; please visit [Searching for an Applicant](#) for more information. The licensee/provider would use personal identification information (Name/Date of Birth/Social Security Number/California Driver's License) of the applicant to conduct this applicant search.

Step 3: If the applicant is *not* in Guardian, it is recommended the licensee/provider follow the steps in Guardian to **Add New Applicant**. *Note: The licensee/provider will need the applicant's information to complete and submit the application.*

Step 4: Applicable to applicants for Children's Residential facilities eligible to accept placement of a dependent child and Resource Family Approval **only**; all other facility types proceed to Step 5.

Licensees and providers must obtain a completed physical copy of the individual's required disclosure form, either the LIC 508 O-O-S (Out-of-State Disclosure) or the LIC

508D (Out-of-State Disclosure and Criminal Record Statement), from the applicant before initiating the application process in Guardian.

During the Guardian application workflow, licensees and providers submitting an application on behalf of an individual will be prompted to enter the disclosure information as provided on the completed physical disclosure form.

Note:

- Children's Residential facilities eligible to accept placement of a dependent child must submit the [LIC 508 O-O-S \(Out-of-State Disclosure\)](#).
- Applicants for Children's Residential Resource Family Approval must submit the [LIC 508D \(Out-of-State Disclosure & Criminal Record Statement\)](#).
- Please review [PIN 22-16-CRP](#) for further guidance on who is required to submit which disclosure form to CPMB.

Step 5: Once the licensee/provider completes the application, a prepopulated Live Scan Form will be created for the applicant to use when submitting their fingerprints to a Live Scan Vendor. The licensee/provider can physically provide prepopulated Live Scan form to the applicant or send the form electronically for the applicant to use. Using the prepopulated form ensures all information on the form is accurate.

Step 6: The applicant takes the prepopulated Live Scan Form to a Live Scan Vendor and submits fingerprints. It is recommended that the applicant ensures the facility/organization number (OCA) is entered correctly by the Live Scan operator to avoid errors that could result in unnecessary delays.

Step 7: Applicants are currently clearing within approximately 14 days when ALL the following criteria are met:

- No criminal history reported by California DOJ.
- No criminal history reported by FBI.
- No record in CACI (if applicable).
- The applicant has not lived Out-of-State within the last five years (Children's Residential Adam Walsh Program and Resource Family Approval only).
- No match found in the AARS.

For applicants with no criminal history, if a Criminal Record Clearance is granted, a Clearance letter will be sent to the applicant and the licensee/provider. The letter is also viewable in the Guardian applicant and licensee/provider profiles. *Note: Please keep in mind, pursuant to Health and Safety Code section 1522(c)(2), DOJ has 14 days to provide criminal record history to CDSS.*

In situations where any of the above is not met, the time to process the application will vary. See [PIN 21-22-CCLD](#) and [Background Checks Demystified](#) for more detailed information on the background check process and when to expect delays.

Detailed information on this process can be found starting on page 18 of the [Agency Guardian User Guide](#).

To sign up for Guardian please complete a [Licensee User Account Access Form](#) (LIC 9277LUA) and email the completed form to GuardianLoginSupport@dss.ca.gov. If you have already submitted your Licensee User Account Access form, please do not submit another copy as forms are being processed in the order they are received.

If a **new** or **additional** license or facility number needs to be added to an **existing** Guardian user account, please complete a [Licensee User Account Access Form](#) (LIC 9277LUA) and email the completed form to GuardianLoginSupport@dss.ca.gov.

ADDITIONAL INFORMATION/RESOURCES

Guardian resources are available online and include a helpful [Guardian User Guide for Licensing and Home Care Agencies](#) as well as instructional videos. Refer to the Guardian section of the [CPMB website](#) in the “Guardian for Agencies” expandable blue box. The [Frequently Asked Questions](#) section also contains valuable Guardian information.

If you have any additional questions regarding Guardian, please refer to CPMB’s Guardian website which contains answers to most questions. If your question is not addressed there, you may contact CPMB at Guardian@dss.ca.gov or at 1-888-422-5669 (live operators available 8:00 AM – 12:00 PM Monday – Friday).

The Department will convey all new information through PINs. [Please sign up to be notified here](#) and [visit the Department’s website for the latest PINs](#).