

	<p style="text-align: center;"><b>Department of Human Services Online Directives Information System</b></p>	<p style="text-align: center;"><b>Index: Revised: Next Review:</b></p>	<p style="text-align: center;"><b>POL1757 10/04/2019 10/04/2021</b></p>
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**SUBJECT: Background Investigations Unit Emergency On-Call Policy**

**POLICY**

The Department of Human Services (DHS) will comply with the Georgia Crime Information Center (GCIC) rules and regulations by adhering to all state and federal laws governing the use of Criminal Background Investigations for the Department of Family and Children Services (DFCS). The DHS Office of Inspector General (OIG) has the responsibility and authority for the enforcement of these procedures (O.C.G.A. § 42.2.14).

The Emergency On-Call policy was developed by the OIG to summarize the Emergency On-Call criminal history investigations procedure and the use of the **Purpose Code X** Screening when placing a child in a home due to exigent circumstances, as stated in O.C.G.A. § 49-2-14.

**A. Authority**

- O.C.G.A. § 42.2.14
- O.C.G.A. § 49-2-14

**B. References**

None

**C. Applicability**

The Emergency On-Call criminal background check procedure is intended for use only by GCIC certified employees in the OIG Background Investigations Unit.

**D. Definitions**

- Exigent circumstances: An emergency, a pressing necessity, or a set of circumstances requiring immediate attention or including situations when: time is of the essence; the health and safety of a child is involved; or action is necessary to ensure the best interest of the child.
- Purpose Code X: A code used in the GCIC/NCIC system to obtain national NCIC criminal history records on individuals in potential contact with children who need emergency placement. A criminal history check is done on any adult person who resides in a home where children in the custody of the department have been or may be placed, or which is relevant to
- Point of Contact (POC): Designated staff person in each County/Region site who is responsible for ensuring compliance with GBI/GCIC policy and procedures regarding access to criminal history information.
- Requestor: DFCS staff member who requests a criminal history record check from the Emergency On-Call Hotline.

## E. Responsibilities

- The Emergency On-Call procedure must be used by DFCS intake personnel or case workers if a child needs to be placed in a home under exigent circumstances.
- DFCS staff must call 404-798-0217 to speak with the OIG Emergency On-Call terminal operator and must follow the instructions of the On-Call operator.
- All fingerprint-based criminal history background checks required for **Purpose Code X** must be completed within five (5) business days.
- DFCS offices must designate a Point of Contact (POC) who will be responsible for tracking all National Crime Information Center (NCIC) **Purpose Code X** name checks and ensuring that all fingerprint-based criminal history background checks are completed as required.
- Any DFCS employee who requests or receives criminal history information from the OIG Emergency On-Call Hotline must complete and pass the GBI/GCIC Security and Integrity training prior to receiving criminal history information on any adult person who resides in the home of, or provides care to, a child who is the subject of a child protective services referral, complaint, or investigation.
- **Purpose Code X** inquiries must be followed up with the required **fingerprints within five (5) days of the date of inquiry** if the child is placed with that individual. These records do not contain expunged or sealed information. **Criminal history records generated using Purpose Code X may not be shared with any non-governmental entity including contracted child providers.**
- Point of Contact (POC): Designated staff person in each County/Region site who is responsible for ensuring compliance with GBI/GCIC policy and procedures regarding access to criminal history information.
- Requestor: DFCS staff member who requests a criminal history record check from the Emergency On-Call Hotline. The requestor must clearly indicate the purpose of the request (investigation or placement) and must be a person who is legally entitled to view the information. The OIG Criminal History Specialist will return the results to the requestor. A clerical person making a request for a caseworker must clearly indicate the caseworker's name (e.g.: John Smith for Jane Jones). Note that any DFCS employee who requests or receives criminal history information from the OIG Emergency On-Call Hotline must complete and pass the GBI/GCIC Security and Integrity training prior to receiving criminal history information.
- Certification

The OIG Background Investigations Unit (BIU) Emergency On-Call operators must maintain and uphold certifications for:

- GCIC Full or Inquiry Level Terminal Operator
- GCIC Security and Integrity

Criminal History Specialist operators must also have a NCIC fingerprint based criminal history background check on file.

➤ For DFCS County Offices

- DFCS offices will be responsible for designating a POC as responsible for tracking all NCIC **Purpose Code X** name checks and ensuring that Fingerprint Based live scans are completed as required. Only authorized DFCS staff will be permitted to handle **Purpose Code X** requests, including the requirement to report such requests to their Supervisors and Directors for the purpose of compliance and accountability.
  - Authorized DFCS staff trained in the proper use of **Purpose Code X** will be held accountable for any misuse of this code. In the event, that **Purpose Code X** is misused, the DFCS Supervisor, Director and County Director will also be held accountable.
  - Requests for criminal history checks for placement of children can only be made on the OIG Emergency On-Call Hotline (404-798-0217) for the initial placement of children under exigent circumstances. **Purpose Code X** can only be requested for **the immediate, same-day placement** of a child in exigent circumstances.
  - Any person who requests or receives criminal history information from the OIG Emergency On- Call Hotline must complete and pass the GBI/GCIC Security and Integrity training prior to receiving criminal history information. DFCS Counties/Regions shall be responsible for ensuring that this is completed prior to an employee receiving criminal history information. In the event that a DFCS case worker's GBI/GCIC Security & Integrity certification is not current at the time of the emergency placement request, the OIG BIU Special Agent in Charge will review the criminal record check and make a temporary placement decision.
  - If the required fingerprints are not completed within five (5) business days, the child must be removed from the placement home.
  - The POC will indicate whether the fingerprint-based live scan was submitted for each person for whom an NCIC **Purpose Code X** check was completed by the OIG Emergency On-Call Unit. If this was not done, the POC will provide a written explanation. Some reasons may also require the POC to explain what corrective action took place. The explanation of corrective action does not need to be lengthy.
  - If a placement has already been made prior to calling the Emergency On-Call line, the On-Call Operator will not perform a **Purpose Code X**. A signed consent form will be required to perform a local check on the individual with whom the child has been placed; alternately, a Purpose Code P can be processed.
  - If the case worker or placement refuses to agree with the fingerprint requirement and/or will not be able to get fingerprints completed within five (5) days, OIG BIU will not perform a **Purpose Code X**.
- **REMEMBER:** Any dissemination outside of the receiving entity must be logged on the secondary dissemination form. Dissemination includes both physical and verbal sharing of information. Criminal history information can only be shared within DFCS with persons who have completed and passed the GCIC Security and Integrity Training.
- In order to improve and update the policy for providing On-Call Purpose Code X

information to DFCS, OIG and GCIC will periodically review and amend the material contained in this policy, as circumstances warrant. These circumstances include, but are not limited to, the following:

- GCIC Audit
- FBI Audit

Any revisions to this policy will be communicated by GCIC to OIG BIU staff, who will revise the Emergency On-Call policy per GCIC instructions.

#### **F. History**

Policy 1757, last reviewed 10/04/2019

#### **G. Evaluation**

The OIG BIU Manager/Supervisor evaluates this policy by:

1. Completing quarterly internal audits to ensure responsibilities, certification, and dissemination are performed accurately and efficiently by each employee.
2. Passing any audit with no findings.