



Fingerprint-Based Criminal Background Check Frequently Asked Questions 12/8/16

1. Q: What are fingerprint-based criminal background checks (FCBC)? 12/8/16

A: A Fingerprint-based criminal background check is when an individual is fingerprinted by a law enforcement entity and those fingerprints are used to conduct a search of the individual's criminal history. The FCBC conducted for Nebraska Medicaid provider enrollment will use the FBI's Automated Fingerprint Identification System to conduct a nationwide criminal background screening.

2. Q: Why do I/owners of our business have to submit fingerprints and have criminal background checks completed? 12/8/16

A: Your provider type has been categorized as high risk. State and Federal regulations require all Medicaid provider types to be categorized as low, moderate, or high risk based on the risk of that provider type committing fraud, waste, or abuse against the Medicaid program. Each risk level requires specific screening activities to be completed during a provider's initial enrollment, re-enrollment, reactivation, and revalidation. Fingerprint-Based Criminal Background Checks are one of the required screening activities for all high risk providers.

3. Q: Who has to be fingerprinted? 12/8/16

A: All individual providers whose provider type is high risk, and all individuals who own 5% or more direct or indirect interest in a high risk provider. On a case by case basis providers whose type is not classified as high risk may have their risk level 'bumped up' to high risk if the provider has a payment suspension due to a credible allegation of fraud, or the provider owes an existing Medicaid overpayment, or if the provider has been excluded by the Office of the Inspector General (OIG) or any State's Medicaid program in the last 10 years.

The Provider Screening Risk Levels list can be found on the Nebraska Medicaid Program Provider Screening and Enrollment webpage:

<http://dhhs.ne.gov/Documents/Provider%20Screening%20Risk%20Levels.pdf>.

4. Q: How often must providers and/or owners submit fingerprints? 12/8/16

A: Fingerprints must be submitted each time a provider competes an initial enrollment, revalidation, reactivation, reenrollment, or when the provider is 'bumped up'.

5. Q: Where do providers/owners go to be fingerprinted? 12/8/16

A: Fingerprints must be obtained through a law enforcement agency, such as the Nebraska State Patrol, county Sheriff's office, or city Police Department. The FCBC notification letter that is sent to providers will include a list of law enforcement offices that offer LiveScan fingerprint service, but fingerprints may be obtained at any willing law enforcement office. Be sure to call ahead to determine whether your local law enforcement office offers fingerprinting, how to schedule an appointment, etc.

6. Q: How much does it cost and who pays for it? 12/8/16

A: Currently the cost of obtaining the criminal background check is \$45.25, but that amount is subject to change. If fingerprints are obtained through the Nebraska State Patrol there is no additional cost for the collection of fingerprints. Other law enforcement agencies may charge an additional fee for the collection of fingerprints. The person being fingerprinted/background checked is responsible for paying all related costs – fingerprints will not be submitted to the FBI until all fees are paid.

7. Q: What do I do with my fingerprint card once I have been fingerprinted? 12/8/16

A: Your fingerprint card must be submitted to Nebraska State Patrol using the envelope supplied and mailed to:

*Nebraska State Patrol
Attn: CID
3800 NW 12th St, Suite A
Lincoln, NE 68521*

The envelope (or all envelopes, if multiple FCBC are required due to owners) must be postmarked within 30 days of the FCBC notification letter in order to be in compliance.

8. Q: What if the provider and/or owners reside outside of Nebraska? 12/8/16

A: The provider and/or owner will need to obtain fingerprints from a law enforcement office in their local area and submit their fingerprint card to Nebraska Medicaid at the address above for processing.

9. Q: How long will it take to get the results of my FCBC? 12/8/16

A: Processing time can vary, but generally speaking you should expect processing to take a minimum of 8 weeks. Your enrollment will not be finalized until this screening is completed, so it is important that all fingerprints be submitted as quickly as possible so processing can begin.

10. Q: What will happen if FCBC is not completed? 12/8/16

A: Providers and/or their owners will have 30 days from the date of their notification to be fingerprinted (including payment of associated fees) and pay the \$45.25 background check fee. Failure to do so within the 30 days will result in denial or termination of enrollment.

11. Q: What if our provider entity has multiple owners and all but 1 completes FCBC on time? 12/8/16

A: All owners must complete FCBC within the required 30 days otherwise the provider's enrollment will be denied or terminated.

12. Q: What kinds of convictions will cause a provider's enrollment to be denied or terminated? 12/8/16

A: Generally, convictions related to health care fraud; crimes against a child or vulnerable adult; crimes involving illegal use, possession, or distribution of a controlled substance. See 471 NAC 2-001 and 42 CFR 455 Subpart E for more information.

13. Q: How will a provider know if they or their owners did not pass the FCBC? 12/8/16

A: Providers will be notified in writing of a denial or termination resulting from a failed FCBC. Providers will have the same right to appeal the action as they do any denial or termination.

14. Q: Who can I contact if I still have questions about FCBC? 12/8/16

A: Please submit questions to DHHS.MedicaidProviderEnrollment@nebraska.gov or 402-471-9297.