

WAC 388-113-0107 When can background check results and criminal history record information be shared?

(1) The requesting entity may only disclose the background check result and criminal history record information in the Washington state record of arrests and prosecutions (RAP) sheets from the background check central unit to the following:

(a) The applicant;

(b) The client, or client's representative, when the client has elected to receive services from an IP; and

(c) Other persons or entities as allowed by federal and state law, including the department of health (DOH).

(2) A requesting entity that receives criminal history record information from the federal bureau of investigations (FBI) may only disclose the FBI RAP sheets to the following:

(a) The applicant; and

(b) A governmental entity as allowed by federal and state law, including DOH.

(3) The applicant may choose to provide a copy of the background check result and FBI RAP sheets to the requesting entity or employer.

(4) For additional information sharing related to health care facilities as defined in RCW 43.43.830, refer to individual program WACs under title chapter 388-76 WAC, Adult family home minimum licensing requirements, chapter 388-97 WAC, Nursing Homes, chapter 388-78A WAC, Assisted living facility licensing rules.

(5) The applicant may contact BCCU at BCCUInquiry@dshs.wa.gov for a copy of their results.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-113-0107, filed 8/30/21, effective 10/1/21.]