



Department of Developmental Services National Background Check Unit

April 7, 2020

Response to Delays in Fingerprinting Due to Public Health Emergency

Some IDEMIA Fingerprint Enrollment Centers have temporarily closed or limited hours in response to COVID-19. We understand the obstacles this has presented to meeting your staffing needs. Please note, the Department of Developmental Services (DDS) Fingerprint Check Regulations allow for the conditional hire of employees to ensure the immediate provision of necessary services to DDS clients. See 115 CMR 12.10.

To assist Providers and address staffing shortages resulting from the COVID-19 public health emergency¹, including the closure and reduced hours of many IDEMIA Fingerprint Enrollment Centers, DDS is issuing a time-limited waiver and modification of certain regulatory provisions relative to the status of conditional employees as follows:

1. Providers may conditionally hire employees without a scheduled fingerprint check if applicants are unable to obtain a fingerprint appointment at an IDEMIA Fingerprint Enrollment Center due to the limited availability of appointments or hours as a result of the public health emergency.
2. Provider employees hired on a conditional basis who have not yet scheduled or attended an appointment for fingerprinting are required to make best efforts to obtain an appointment at an IDEMIA Fingerprint Enrollment Center, as soon as reasonably possible or feasible.
3. The time period of approved conditional hires will be extended from the existing 60 days to 90 days. As above, conditional hires must make best or reasonable efforts to obtain an appointment at an IDEMIA Fingerprint Enrollment Center during this conditional period.

Providers are otherwise required to comply with existing DDS regulatory requirements, including the provision that conditional employees clear a Massachusetts Criminal Offender Record Check (CORI).

Inquiries pertaining to this Advisory should be addressed to:

DDS National Criminal Background Check Unit

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¹ On March 10, 2020, Governor Baker issued a "Declaration of a State of Emergency" in accordance with Sections 5, 6, 7, 8, and 8A of Chapter 639 of the Acts of 1950, as amended, and other provisions of law in response to the Novel Coronavirus (COVID-19) public health emergency.