



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MENTAL HEALTH SERVICES

Capital Center, 50 E. State Street
Post Office Box 727
Trenton, New Jersey 08625

RICHARD J. CODEY
Acting Governor

JAMES M. DAVY
Commissioner

ALAN G. KAUFMAN
Director

DIVISION OF MENTAL HEALTH SERVICES
ADMINISTRATIVE BULLETIN TRANSMITTAL MEMORANDUM

November 17, 2004


**SUBJECT: Administrative Bulletin 4:20
Fingerprinting Procedures**

The attached Administrative Bulletin is being forwarded for your review, action if necessary, and distribution to staff as appropriate. Please be advised that each recipient of this bulletin is responsible for being familiar with the content and ensuring that all affected personnel adhere to it. Also attached is a revised Administrative Bulletin Index for your Manual.


Alan G. Kaufman
Director

AGK:pjt
Attachment

affirmatively demonstrated clear and convincing evidence that she or he is rehabilitated. Any such request shall be sent to the Division of Mental Health Services Manager of Human Resources.



Human Resources Director
Ines Fenton

11-17-04
Date



Division of Mental Health Services Director
Alan G. Kaufman

11/18/04
Date

III. Procedure

- A. Employees will be required to submit fingerprints at least every 2 years, and may be required to do so more frequently if the Human Resources Director has cause to believe that the employee is disqualified from working at the facility.
- B. The Fingerprint Coordinator in the hospital's Human Resources Department shall, each month generate a list of employees who are due for two-year fingerprints and shall notify the employees.
- C. No applicant will be hired prior to the return of the State fingerprint report. Any offer of employment prior to the receipt of the Federal fingerprint report results will be conditional. Any individual who is provisionally or conditionally employed is required to sign a sworn affidavit attesting to the fact that there has been no conviction of crime or disorderly persons offense. If the Federal Fingerprint Investigation reveals any such criminal activity, the individual shall be terminated.
- D. If a prospective or current employee refuses to cooperate in the implementation of this policy, including consenting to the provision of fingerprinting or taking any other action necessary to the securing of a criminal history or background check, the applicant/employee shall be rejected/terminated.
- E. All fingerprints will be processed through Sagem Morpho, an independent contractor. For consultants and employees returning to work from a leave, a request for a Federal Print Drop is accomplished by filling out the archive request form and submitting it to the Division's Office of Workforce Utilization, which will then forward the form to Sagem Morpho.

IV. Disqualification and rehabilitation

- A. If a current employee's record check reveals a conviction, and if this record may disqualify an applicant for any purpose, and if the employee has not previously affirmatively demonstrated rehabilitation for this offense as provided in section IV C. below, the person making the determination shall provide the applicant with an opportunity to complete and challenge the accuracy of the information contained in the criminal history record. An employee may be immediately suspended from duty without pay pending Administrative charges in accordance with Administrative Order 4:08 (Disciplinary Action Program) at the discretion of the Chief Executive Office or Designee.
- B. The Chief Executive Officer may approve the selecting/hiring of a qualified individual who has been convicted only of offenses not enumerated in N.J.S 30:4-3.5 a.
- C. To employ an individual who has been convicted of a crime or offense enumerated as a disqualifier in N.J.S 30:4-3.5 a. and identified as such in the Central Fingerprinting Unit CHRI Confidential Correspondence Response, the Chief Executive Officer must seek the approval of the Office of the Commissioner by submitting evidence through the Director of the Division of Mental Health Services that the individual has

**Division of Mental Health Services
Fingerprinting Procedures
Human Resources Standard Operational Procedures
Administrative Bulletin 4:20**

I. Policy

A. Statement

This Bulletin is intended to bring all DMHS facilities into compliance with P. L. 1997, c. 71 (Codified at NJSA 30:4 – 3.5). The Human Resources Department at each psychiatric facility will be responsible for compliance with Department of Human Services Administrative Order 4:10, which establishes Departmental standards for the processing of fingerprints for all applicants and employees.

B. Purpose

To establish a comprehensive system for obtaining, processing, and maintaining fingerprints for employees, applicants, volunteers, contractors, and students.

II. Scope

Each hospital's Human Resources Department will obtain fingerprints for:

- A. All prospective employees, current employees, volunteers, and students
- B. Any employee transferring from another facility, Division or Department at the time of the transfer.
- C. Any employee returning to work from a leave of absence or suspension that is more than sixty (60) work days. If the employee's fingerprints reveal that the employee is disqualified from employment, at the time the results are returned the procedure in IV:A shall be followed.
- D. Any individual regularly assigned duties at a Department of Human Services institution with regular service recipient contact. Examples of these contract vendors are pharmacy providers and consultants, on-site lab staff, pest control applicators, and outside consultants with regularly defined hours and other such vendors with regular and unsupervised access to the campus and responsibilities to the facility. Examples of contract vendors who are not required to submit fingerprints include vendors repairing or constructing short term capital projects, consultants conducting trainings or evaluations, and medical consultants with infrequent visits of short duration. Where fingerprints are not required, the hospital shall nevertheless establish and maintain written standards of sufficient supervision of their work approved by the Appointing Authority.