

88019.2 Child Abuse Central Index

(a)

Prior to certifying a home, the foster family agency shall ensure that the Department has conducted a Child Abuse Central Index (CACI) review pursuant to Health and Safety Code Section 1522.1 and Penal Code Section 11170(b)(3). The Department shall check the CACI for the applicant(s) and all individuals subject to a criminal record review pursuant to Health and Safety Code Section 1522(d) and shall have the authority to approve or deny certification, employment, residence or presence in the licensed facility based on the results of the review. (1) The foster family agency shall submit the Child Abuse Central Index check (LIC 198A [3/99]) for all individuals required to be checked directly to the California Department of Justice at the same time that the individual's fingerprints are submitted for a criminal background check as required by Section 88019(a). (A) Individuals who have submitted the Child Abuse Central Index check (LIC 198A [3/99]) with fingerprints on or after January 1, 1999 need not submit a new check if the individual can transfer their criminal record clearance or exemption pursuant to Section 88019(e) or Section 88019.1(f). (2) The Department shall investigate any reports received from the CACI. The investigation shall include, but not be limited to, the review of the investigation report and file prepared by the child protective agency that investigated the child abuse report. Certification of a home shall not be denied based upon a report from the CACI unless the

Department substantiates an allegation of child abuse.

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Individuals who have submitted the Child Abuse Central Index check (LIC 198A [3/99]) with fingerprints on or after January 1, 1999 need not submit a new check if the individual can transfer their criminal record clearance or exemption pursuant to Section 80019(e) or Section 80019.1(f).

(2)

The Department shall investigate any reports received from the CACI. The investigation shall include, but not be limited to, the review of the investigation report and file prepared by the child protective agency that investigated the child abuse report.

Certification of a home shall not be denied based upon a report from the CACI unless the Department substantiates an allegation of child abuse.

(b)

The foster family agency shall submit Child Abuse Central Index checks (LIC 198A [3/99]) directly to the California Department of Justice for all foster family agency personnel who have contact with children in accordance with Health and Safety Code Section 1522.1.

(c)

Subsequent to certification, all individual's subject to a criminal record review, pursuant to Health and Safety Code Section 1522(b), shall complete a Child Abuse Central Index check (LIC 198A [3/99]), prior to employment, residence or initial presence in the certified home. (1) The foster family agency shall submit the Child Abuse Central Index check (LIC 198A [3/99]) directly to the California Department of Justice with the individual's fingerprints as required by Section 88019(a) prior to the individual's employment, residence or initial presence in the home. (2) The Department shall check the CACI pursuant to Penal Code Section 11170(b)(3), and shall investigate any reports received from the CACI. The investigation shall include, but not be limited to, the review of the investigation report and file prepared by the child protective agency that investigated the child abuse report. The Department shall not deny a license or take any other administrative action based upon a report from the CACI unless the Department substantiates the allegation of child abuse. (3) The Department shall investigate any subsequent reports received from the CACI. The investigation shall include, but not be limited to, the review of the investigation report and file prepared by the child protective agency that investigated the child abuse report. The Department shall not revoke a license or take any other administrative action based upon a report from the CACI unless the Department substantiates the allegation of child abuse.

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The foster family agency shall submit the Child Abuse Central Index check (LIC 198A [3/99]) directly to the California Department of Justice with the individual's fingerprints as required by Section 88019(a) prior to the individual's employment, residence or initial presence in the home.

(2)

The Department shall check the CACI pursuant to Penal Code Section 11170(b)(3), and shall investigate any reports received from the CACI. The investigation shall include, but not be limited to, the review of the investigation report and file prepared by the child protective agency that investigated the child abuse report. The Department shall not deny a license or take any other administrative action based upon a report from the CACI unless the Department substantiates the allegation of child abuse.

(3)

The Department shall investigate any subsequent reports received from the CACI. The investigation shall include, but not be limited to, the review of the investigation report and file prepared by the child protective agency that investigated the child abuse report. The Department shall not revoke a license or take any other administrative action based upon a report from the CACI unless the Department substantiates the allegation of child abuse.