

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HUMAN SERVICES
BUREAU OF HUMAN SERVICES LICENSING
Family Living Homes
(55 Pa.Code Chapter 6500)

Q/A - Regulatory Clarifications – May 2015

The clarifications and interpretations below will remain on the Department's web site until the information is included in the next updated Regulatory Compliance Guide (RCG).

Regulation: § 6500.23(a) – Criminal History Record Check

§ 6500.23(a) - An application for a Pennsylvania criminal history record check shall be submitted to the State Police for individuals 18 years of age or older who reside in the home, prior to an individual living or receiving respite care in the home.

Question: Does a prohibitive offense committed when a potential employee was a juvenile prevent the now adult from working in a licensed family living home?

ANSWER: No. If a Pennsylvania criminal background check shows that an individual was "adjudicated delinquent" as a juvenile, this does NOT count as a conviction for purposes of the Older Adults Protective Services Act (OAPSA) criminal background check rules.