

IMP 003

Criminal Background Checks — State and Federal

The Delaware State Police, State Bureau of Identification (SBI) is the fingerprinting and criminal background agency for the State of Delaware.

Every person working in long term care or in the community working with persons needing assistance must be fingerprinted. The SBI secures the applicant's criminal history from both the State of Delaware and the Federal Bureau of Investigation (FBI). The FBI collects data from all the States, so its report could be of a federal arrest and conviction, or of an arrest and conviction in any other state.

There are several key facts related to SBI:

When SBI fingerprints an individual, the agency connects the fingerprint with an SBI #. That number, which is unique to each individual, is used to connect that individual with the BCC if arrested after the system goes live. That is called a Rap-back. The purpose is ensure that a person's criminal history is known to the employer, even after the employment begins.

In order for the BCC to work as intended, every person who works for an employer included in this project must be processed through the BCC and listed on its Master List. Even people who work in long term care, home health care, or the other settings included in this project who were exempt from fingerprinting when the criminal background check law became effective (March 31, 1999 for long term care facilities; July 1, 2001 for all others) and are still working have to be fingerprinted so they are included in the BCC. Those people are referred to as "Grandfathered employees." See IMP 002 for more details. And refer to 16 Del. C. [§1141](#) for facilities and [§1145](#) for Home Health, Temporary Staffing Agencies, Personal Assistance and Hospice.

An individual having concerns regarding the criminal history information provided in the BCC is directed to the [SBI website](#).

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