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Long-Term Care and Aging Services Division
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PROGRAM MEMO

TO: Area Agencies on Aging

EXPIRES: Until Superseded

NO: PM 19-08

PROGRAMS AFFECTED: HICAP

DATE ISSUED: 11/05/2019

SUPERSEDES: N/A

SUBJECT: Health Insurance Counseling and Advocacy Program (HICAP) - Guidance for Administration for Community Living's (ACL) Volunteer Risk and Program Management (VRPM) policy on national-level criminal record checks.

Purpose

This Program Memo provides specific guidance for the implementation of ACL's VRPM policy addressing national-level criminal record checks and protocol for determining which criminal violations render a staff member or volunteer applicant unsuitable for HICAP assignments.

Background

California Welfare and Institutions Code 9541 (W&I Code) establishes the Health Insurance Counseling and Advocacy Program (HICAP) which is part of the national State Health Insurance Assistance Program (SHIP). Neither W&I Code 9541 nor ACL's VRPM Policy Manual provide specific guidance to the state SHIPs in developing national-level criminal record check policies for use by the local Area Agencies on Aging. Current CDA policy guidance to the HICAP providers is delivered through the HICAP Program Manual which includes, but is not limited to, counselor registration, conflict of interest, counselor continuing education, and internship requirements. General guidance pursuant to the national record check policy is also provided in the HICAP contract located in Exhibit E., Amendment 2., Article 1, D (1).

Requirement

All HICAP volunteers and staff members in positions of trust are subject to a background and national-level criminal record check. The HICAP shall have a protocol for determining which criminal violations render a volunteer or staff member unsuitable for SHIP assignments. The Area Agency on Aging shall assure, either as HICAP direct services or contracted services, full compliance with the federal VRPM requirements by March 31, 2020.

For further guidance please refer to the VRPM Manual and the [SHIP TA Center](#).

Guidance

CDA HICAP guidance on VRPM Section 3.38 are available in the attachments listed below.

ATTACHMENT	FAQ
ATTACHMENT	NPBSA ACCREDITED FIRMS DIRECTORY

Inquiries

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/S/

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