

Narcotic Treatment Program Background Checks FAQs

1. What is a fingerprint records check?

A fingerprint records check is a search of an individual's criminal history record information and is conducted by submitting the fingerprints of the individual to the Georgia Bureau of Investigation (GBI) and the Federal Bureau of Investigation (FBI).

2. Who has to have a fingerprint records check?

The applicant/owner and administrator of Narcotic Treatment Programs.

3. How long will it take DCH to issue a determination letter once I am fingerprinted?

The DCH OIG Background Investigation Unit issues most determinations within 10-15 business days.

4. How long is a Satisfactory Criminal Records Determination good for?

Three years from the date of the prior determination. After initial licensure, the applicant/owner and administrator shall be required to submit evidence of a satisfactory background check to the Department every three (3) years. Also, refer to the response to question 7 under Fingerprints below.

Fingerprints

1. How do I submit fingerprints?

All individuals subject to mandatory fingerprinting must first login to the Georgia Criminal History Check System (GCHEXS) and complete an application. Once the GCHEXS application is complete, you will be re-directed to the Georgia Applicant Processing System (GAPS) to complete the fingerprinting registration process.

2. Can I submit my fingerprint cards directly to the GBI/FBI?

No. You must first submit an application using GCHEXS and register for fingerprinting using GAPS. Individuals who reside out of state can submit fingerprint cards to GBI's fingerprint contractor. You must still complete the GCHEXS application process; however, the GAPS fingerprint registration page has instructions on how to submit paper fingerprint cards.

3. Why do I have to complete the Public Registry Checks in GCHEXS?

Although the registry checks are not a requirement of the background check process, it is a built-in component of GCHEXS. In order to navigate through the GCHEXS registration process, all applicants must complete the various registries. Based on the results of the registries, it will be up to the Narcotic Treatment Program facility to hire or disqualify the applicant.

4. Who do I contact if I have questions regarding the fingerprinting process?

Send an email to: GCHEXS.User@dch.ga.gov

5. Can I get fingerprinted at my local law enforcement agency or Police Department?

No. You must first submit an application using GCHEXS. See above.

6. As an applicant/owner coming from another facility or opening a second location, do I have to do my fingerprints over?

It depends. If it has been less than 12 months since you received a satisfactory fingerprint check determination, you do not have to have your fingerprints done over again as long as you can show proof of the satisfactory determination. If it has been more than a year since the last fingerprint check and you open another business, you will have to be fingerprinted again. After initial licensure, the applicant/owner and administrator shall be required to submit evidence of a satisfactory background check to the Department every three (3) years.

Disqualifying Crimes – Rule 111-8-53-.03

1. What are the crimes that could prevent a person from working as an Applicant/Owner or Administrator at a Narcotic Treatment Program?

A disqualifying crime is being arrested, charged or convicted of any of the following crimes:

1. A violation of Code Section 30-5-8, relating to abuse, neglect, or exploitation of a disabled adult or elder person
2. A violation of Code Section 16-5-1, relating to murder
3. A violation of Code Section 16-5-2, relating to voluntary manslaughter
4. A violation of Code Section 16-5-21, relating to aggravated assault
5. A violation of Code Section 16-8-41, relating to armed robbery with a firearm
6. A violation of Code Section 16-6-21, relating to aggravated sexual battery
7. A violation of Code Section 16-6-5, relating to enticing a child for indecent purposes
8. A violation of Code Section 16-5-70, relating to cruelty to children
9. A violation of Code Section 16-5-101, relating to cruelty to a person 65 years of age or older or a disabled adult
10. A violation of Code Section 16-6-1, relating to rape
11. A violation of Code Section 16-6-4, relating to child molestation
12. A felony violation of Code Section 16-8-2, relating to theft by taking
13. A felony violation of Code Section 16-8-3, relating to theft by deception
14. A felony violation of Code Section 16-8-4, relating to theft by conversion
15. A felony violation of Code Section 16-9-1, relating to forgery
16. A violation of Code Section 16-8-40, relating to robbery
17. A felony violation of Chapter 13 of Title 16, relating to controlled substances

18. A felony violation of Code Section 16-5-23.1, relating to battery

19. Any other offense committed in another jurisdiction which, if committed in this state, would be deemed to be such a crime without regard to its designation elsewhere

2. Can I have my employees fingerprinted with GAPS instead of using local law enforcement?

No. Currently, there is no provision that would allow employees of a Narcotic Treatment Program to utilize the Georgia Criminal History Check System (GCHEXS) or GAPS to obtain a fingerprint-based background check. Employees must continue to get a background check from local law enforcement. The disqualifying crimes are the same as for Owners and Administrators.

Abbreviations, Terms and Dispositions on Criminal History Records

Common Abbreviations:

- MISD: Misdemeanor
- FEL: Felony
- TXT: Theft by Taking
- VGCSA: Violation of Georgia's Controlled Substance Act
- SID: State Identification Number

Common Terms:

- Acquittal: A verdict of not guilty
- Adjudicate: To give judgment; to render or award judgment
- Convictions: An adjudication that a person is guilty of a crime based upon a verdict
- Dismissal: To discontinue; to order a cause, motion or prosecution to be discontinued, quashed or dismissed as finally adjudicated against the plaintiff
- Felony: A serious offense which, in Georgia, carries a sentence of 1 year or more

Common Dispositions:

- DISM: Dismissed/Dismissal
- NPGJ: Not presented to the Grand Jury – treat as a dismissal
- NFAA: No further action anticipated – treat as a dismissal
- No Bill: Treat as a dismissal
- Nolo Contendere: Treat as a conviction
- Nolle Prosequi/Nolle Prossed: Treat as a dismissal
- First Offender: Treat as a conviction unless it shows that there was a successful completion of the program