

**199.462 Criminal background investigation of applicant to provide foster care, relative caregiver services, or adoptive home, and of applicant's adult household members -- Request for conviction information -- Form and fee for request -- Background investigation at annual reevaluation authorized -- Administrative regulation.**

- (1) Before an applicant is approved to provide foster care or relative caregiver services to a child, or approved to receive a child for adoption, the Cabinet for Health and Family Services shall:
  - (a) Require a criminal background investigation of the applicant and any of the applicant's adult household members by means of a fingerprint check by the Department of Kentucky State Police and the Federal Bureau of Investigation; or
  - (b) Request from the Justice and Public Safety Cabinet records of all conviction information for the applicant and any of the applicant's adult household members. The Justice and Public Safety Cabinet shall furnish the information to the Cabinet for Health and Family Services and shall also send a copy of the information to the applicant.
- (2) The request for records shall be on a form approved by the Justice and Public Safety Cabinet, and the Justice and Public Safety Cabinet may charge a fee to be paid by the applicant for the actual cost of processing the request.
- (3) During a certified adoptive or foster home's annual reevaluation, the Cabinet for Health and Family Services may require a background investigation for each adult household member of the certified adoptive or foster home under subsections (1) and (2) of this section.
- (4) The Cabinet for Health and Family Services shall promulgate an administrative regulation to implement this section.

**Effective:** June 26, 2007

**History:** Amended 2007 Ky. Acts ch. 85, sec. 239, effective June 26, 2007. -- Amended 2005 Ky. Acts ch. 99, sec. 176, effective June 20, 2005. -- Amended 2003 Ky. Acts ch. 166, sec. 1, effective June 24, 2003. -- Amended 1998 Ky. Acts ch. 426, sec. 138, effective July 15, 1998. -- Repealed, reenacted and amended 1988 Ky. Acts ch. 345, sec. 3, effective July 15, 1988. -- Created 1986 Ky. Acts ch. 475, sec. 2, effective July 15, 1986.