

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HUMAN SERVICES
BUREAU OF HUMAN SERVICES LICENSING
Adult Training Facilities (55 Pa.Code Chapter 2380)

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: § 2380.20(a) – Criminal History Record Check

§ 2380.20(a) - An application for a Pennsylvania criminal history record check shall be submitted to the State Police for prospective employees of the facility who will have direct contact with individuals, and for part-time and temporary staff persons who will have direct contact with individuals, within 5 working days after the person's date of hire.

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

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.