



CDASS Background Check Crimes of High Risk: Employer Hiring Guide

Effective March 2023

Any individual interested in working as a Consumer-Directed Attendant Support Services (CDASS) attendant is required to undergo a criminal background check through the Colorado Bureau of Investigation (CBI). The Financial Management Services (FMS) contractors conduct this check and will report the results to the CDASS employer (member or their Authorized Representative) and prospective attendant.

A prospective attendant will not be found initially eligible for hire by the FMS if their CBI Colorado Criminal Background Check (CBC) report shows they have been found guilty of any of the crimes within the specified time frames listed below. An individual will also be found initially ineligible if their report does not contain disposition, crime class, or offense date information. A CDASS employer may request the individual clarify their record through CBI if this information is missing from a report. The steps to clarify a CBC report can be found on the Participant Directed Programs webpage (hcpf.colorado.gov/participant-directed-programs) under Attendant Background Checks.

A CDASS employer may request an exception from Participant Directed Programs (PDP) to hire an individual initially found ineligible. CDASS employers must complete the CDASS Background Check Exception Request Form (sites.google.com/state.co.us/CDASSException) or contact PDP at 303-866-5638 to make a request. Exception requests are approved based on employers completing the process and creating a safety plan that is actionable. Not all requests are guaranteed to be approved if these criteria are not met.

High-Risk Crimes	Not initially eligible for hire	Eligible for hire with an exception	Exception requirement	No exception allowed
Felony Drug Offenses ⁱ	✓	✓	Conviction must be 3 years or older	
Felony Fraud ⁱⁱ within the last 5 years	✓	✓	Conviction must be 5 years or older	
Felony Theft ⁱⁱⁱ	✓	✓	Conviction must be 5 years or older	
Abduction / Kidnapping ^{iv}	✓	✓	Conviction must be 10 years or older	
Hate Crimes ^v within the last 10 years	✓	✓	Conviction must be 10 years or older	
Felony Arson ^{vi} within the last 10 years	✓	✓	Conviction must be 10 years or older	
Neglect or Abuse by a Caregiver ^{vii}	✓	✓	Conviction must be 10 years or older	



Any Violent Felony ^{viii}	✓	✓	Conviction must be 20 years or older	
Child or At-Risk Person Abuse, Neglect, or Exploitation ^{ix}	✓	✓	Misdemeanor conviction must be 10 years or older. Felony conviction must be 20 years or older	
Crimes Against a Child or At-Risk Person that Causes Harm ^x	✓	✓	Misdemeanor conviction must be 10 years or older. Felony conviction must be 20 years or older	
Felony Involving an Act of Domestic Violence ^{xi}	✓	✓	Conviction must be 20 years or older	
Sexual Offenses ^{xii}	✓	✓	Conviction must be a misdemeanor	
Health Care Fraud ^{xiii}	✓			✓
Purchase or Sale of a Child ^{xiv}	✓			✓
Sexual Exploitation Against a Child or At-Risk Person ^{xv}	✓			✓
Murder / Homicide ^{xvi}	✓			✓

Resources related to assessing background checks reports and the best practices for hiring individuals with criminal histories are available to CDASS employers through the Training and Operations contractor. Contractor contact information can be found on the Participant Directed Program [webpage](#).

Questions related to this document or CDASS background check exception process should be directed to:

Participant Directed Programs Unit
Office of Community Living
HCPF_PDP@state.co.us
Phone: 303-866-5638 | Fax: 303-866-2786

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- ⁱ C.R.S. Title 18, Art. 18, Pt. 4
 - ⁱⁱ C.R.S. Title 18, Art. 5
 - ⁱⁱⁱ C.R.S. Title 18, Art. 4, Pt. 4
 - ^{iv} C.R.S. Title 18, Art. 3, Pt. 3
 - ^v C.R.S. Title 18, Art. 9, Pt. 1-121
 - ^{vi} C.R.S. Title 18, Art. 4, Pt. 1
 - ^{vii} C.R.S. Title 18, Art. 6.5
 - ^{viii} C.R.S. Title 18, Art. 3, Pt. 2
 - ^{ix} C.R.S. Title 18, Art. 6, Pt. 4, C.R.S. Title 18, Art. 6.5
 - ^x C.R.S. Title 18, Art. 6, Pt. 4, C.R.S. Title 18, Art. 6.5
 - ^{xi} C.R.S. Title 18, Art. 6, Pt. 8
 - ^{xii} C.R.S. Title 18, Art. 3, Pt. 4
 - ^{xiii} C.R.S. Title 24, Art. 31, Pt. 8
 - ^{xiv} C.R.S. Title 18, Art. 6, Pt. 4
 - ^{xv} C.R.S. Title 18, Art. 6, Pt. 4, C.R.S. Title 18, Art. 6.5
 - ^{xvi} C.R.S. Title 18, Art. 3, Pt. 1

