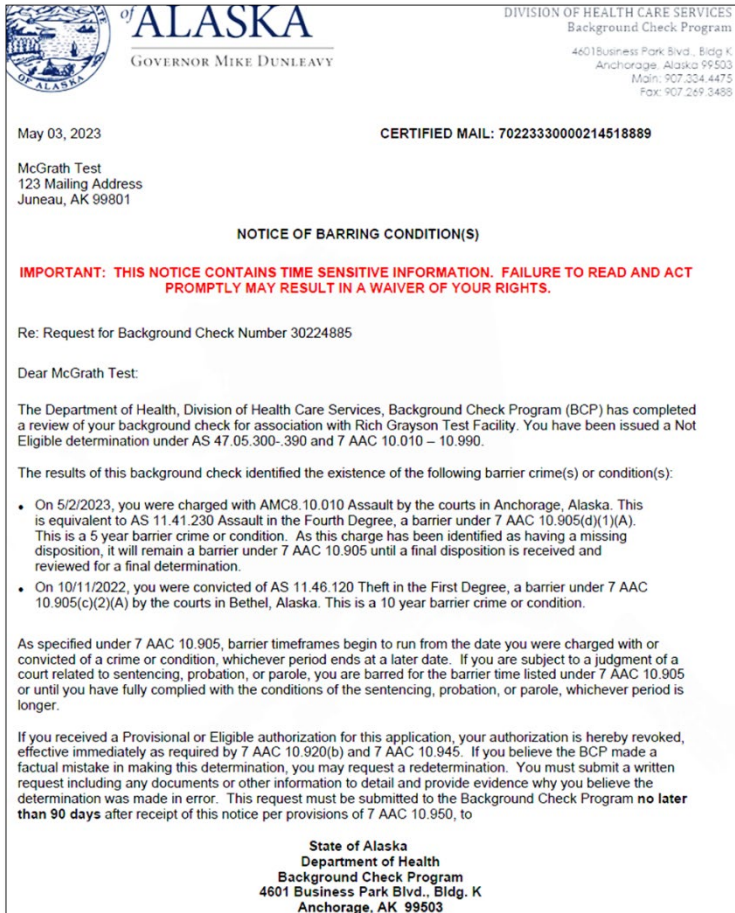


Variance Application Document Checklist

For more information on the Variance Application Process, please visit the Alaska Department of Health's Background Check Program Website at <https://health.alaska.gov/dhcs/Pages/cl/bgcheck/default.aspx>.

Document	Notes
<p>Notice of Barring Conditions *Current copy required to submit application.</p>	<p>Must be unexpired. Redacted sample is available. Variance request applications must be submitted no later than 90 days after the entity or provider receives notice that a barrier crime or condition exists for an individual.</p> <p>Sample:</p>  <p>IMPORTANT: THIS NOTICE CONTAINS TIME SENSITIVE INFORMATION. FAILURE TO READ AND ACT PROMPTLY MAY RESULT IN A WAIVER OF YOUR RIGHTS.</p> <p>Re: Request for Background Check Number 30224885</p> <p>Dear McGrath Test:</p> <p>The Department of Health, Division of Health Care Services, Background Check Program (BCP) has completed a review of your background check for association with Rich Grayson Test Facility. You have been issued a Not Eligible determination under AS 47.05.300-.390 and 7 AAC 10.010 – 10.990.</p> <p>The results of this background check identified the existence of the following barrier crime(s) or condition(s):</p> <ul style="list-style-type: none"> On 5/2/2023, you were charged with AMC8.10.010 Assault by the courts in Anchorage, Alaska. This is equivalent to AS 11.41.230 Assault in the Fourth Degree, a barrier under 7 AAC 10.905(d)(1)(A). This is a 5 year barrier crime or condition. As this charge has been identified as having a missing disposition, it will remain a barrier under 7 AAC 10.905 until a final disposition is received and reviewed for a final determination. On 10/11/2022, you were convicted of AS 11.46.120 Theft in the First Degree, a barrier under 7 AAC 10.905(c)(2)(A) by the courts in Bethel, Alaska. This is a 10 year barrier crime or condition. <p>As specified under 7 AAC 10.905, barrier timeframes begin to run from the date you were charged with or convicted of a crime or condition, whichever period ends at a later date. If you are subject to a judgment of a court related to sentencing, probation, or parole, you are barred for the barrier time listed under 7 AAC 10.905 or until you have fully complied with the conditions of the sentencing, probation, or parole, whichever period is longer.</p> <p>If you received a Provisional or Eligible authorization for this application, your authorization is hereby revoked, effective immediately as required by 7 AAC 10.920(b) and 7 AAC 10.945. If you believe the BCP made a factual mistake in making this determination, you may request a redetermination. You must submit a written request including any documents or other information to detail and provide evidence why you believe the determination was made in error. This request must be submitted to the Background Check Program no later than 90 days after receipt of this notice per provisions of 7 AAC 10.950, to</p> <p>State of Alaska Department of Health Background Check Program 4601 Business Park Blvd., Bldg. K Anchorage, AK 99503</p>

Document	Notes
State of Alaska Fingerprint Record if provided with Notice of Barring Conditions	Redacted sample is available.
Variance Application Form	Revision date 11/1/2023. Available at https://health.alaska.gov/dhcs/Documents/Residential-Licensing-Background/BCP/DOH-BCV-Application.pdf .
Personal Statement	Template available. Statement describing your life to date and all mitigating circumstances that were involved at the time of your barrier crime or condition. This should include information regarding what happened prior to, during and after the barrier crime or condition. Also describe actions taken to describe rehabilitation, prevention and treatment efforts to date.
2 Letters of Recommendation	Template available. Letters should be from credible persons who are aware of the applicant’s criminal and civil history, behavioral health problem, or domestic violence problem, and who would, despite that knowledge, recommend that a variance be granted. Letters must be from persons who are unrelated to the individual for whom the variance is requested and who are not associated with any provider who may associate/hire the individual. Nothing prevents the applicant from submitting any additional letters of recommendation.
Résumé	Detail of the applicant’s educational, employment history and licensing. If you have never created a Résumé before and would like assistance, please contact Alaska’s People at (907) 793-3467 or by emailing alaskaspeople@citci.org .
Job Description and/or Hire Letter or Offer of Employment	Provide information on Provider letterhead relating to the potential job duties and responsibilities, including hours and days of service, whether the individual would be in direct contact with recipients of services and plans for supervision, including whether the individual would be subject to direct supervision. Provide Orientation materials if the applicant had already started working.
Copies of all Criminal/Civil/OCS Records as applicable *Required-Records for barrier crime/condition as well as all criminal records to include: <input type="checkbox"/> All protective orders in which the applicant was a Party.	Example Records Request Forms: AK Court System Criminal Records: https://public.courts.alaska.gov/web/forms/docs/tf-311.pdf OCS Records Request: https://dfcs.alaska.gov/ocs/Documents/FosterCare/06-9778.pdf

Document	Notes
<ul style="list-style-type: none"> <input type="checkbox"/> All charging documents to include any charges where the applicant was not convicted. *This should cover the applicant’s entire criminal history, not just the barrier/barriers. <input type="checkbox"/> All conviction documents. <input type="checkbox"/> All copies of releases from incarceration, dates of release from incarceration, and any terms and conditions of parole. <input type="checkbox"/> Copies of terms and conditions of probation. <input type="checkbox"/> Documentation of behavioral health problem as applicable. <input type="checkbox"/> Criminal records for any domestic violence charge or conviction. 	<p>Department of Corrections Records Request: https://doc.alaska.gov/administrative-services/research-records</p>
<p>Certificates for Licensing</p>	<p>Examples: Registered Nurse license, Physician’s license, Certified Nurse Aid certification, etc.</p>
<p>Evidence of Rehabilitation as Applicable for Barrier Crime or Condition.</p>	<p>Examples: Certificate of Attendance for Alaska Behavioral Health’s Trauma 101 Training, Certificate of Completion for Adult Reentry Programs, Sober Living Programs, Outpatient Treatment, Transitional Living Programs, Peer Support Programs, Residential Treatment Programs, Anger Management Programs, Trauma 101 Trainings, etc.</p>

Barrier Crimes Matrix for the Barrier Crimes Listed in 7 AAC 10.905:

<https://health.alaska.gov/dhcs/Documents/Residential-Licensing-Background/bgcheck/assets/BarrierCrimeMatrix.pdf>:

**BARRIER CRIMES MATRIX FOR THE BARRIER CRIMES LISTED IN 7 AAC 10.905
Effective January 1, 2020**

The crimes listed in this document bar an individual from being associated in any manner described in 7 AAC 10.900(b) with any entity or individual service provider that is subject to the requirements of 7 AAC 10.900 – 7 AAC 10.990.

DISCLAIMER: This matrix has been developed based on the statutes and regulations that the Background Check Program uses to evaluate applications. It is a reliable tool for determining barrier time frames. However, should there be any discrepancy between this list and applicable regulations, the statutes and regulations always control.

<p align="center">BARRIER CRIME [See notes at end of table for conditions and definitions]</p>	A Barrier Within the Following Time Periods				
	PERMANENT	10 Years	5 Years	3 Years	See 7 AAC 10.905 at:
<p>ATTEMPT, SOLICITATION, AND CONSPIRACY Barrier determination is based on the class of crime attempted/solicited/conspired</p>					
<p>For all convictions of attempt, solicitation, or conspiracy, check the crime attempted/solicited/conspired and base the barrier on that crime. There is no reduction on the length of the barrier simply because the crime was charged or amended to attempt, conspiracy to commit, or solicitation to commit.</p>					
<p>AS 11.31.100 (attempt to commit a crime) Barrier is based on the class of crime attempted</p>	If listed under 7 AAC 10.905 (b)	Under 905(c)	Under 905(d)	Under 905(e)	
<p>AS 11.31.110 (solicitation to commit a crime) Barrier is based on the class of crime solicited</p>	If listed under 7 AAC 10.905 (b)	Under 905(c)	Under 905(d)	Under 905(e)	
<p>AS 11.31.120 (conspiracy to commit a crime) Barrier is based on the class of crime the conspiracy was intended to promote or facilitate</p>	If listed under 7 AAC 10.905 (b)	Under 905(c)	Under 905(d)	Under 905(e)	