

## MEMORANDUM

<b>DATE</b>	January 22, 2016
<b>TO</b>	Licensing Committee Members
<b>FROM</b>	Karen Johnson (Signature on file) Licensing Coordinator
<b>SUBJECT</b>	<b>Agenda Item 4</b> Overview and Presentation of the Department of Justice and Federal Bureau of Investigation Fingerprint Process

### *Fingerprint Process:*

- DOJ and FBI clearances are required for a psychologist license, registration as a psychological assistant, and a registration as a psychologist.
- Live scan fingerprints may also be required for a psychology license renewal if the licensee has not been printed for the Board using Live Scan.
- All applicants for licensure or registration must use the Board's Live Scan form (see attached). The ORI number is specific to each agency.
- Applicants must have their prints scanned using a live scan service. DOJ's website will have a complete listing of Live Scan sites. When applicants are in another state, they can use the hard cards with the Board's ORI number and address printed on the cards.
- Once scanned, applicants are instructed to submit one copy of the completed Live Scan form to the Board.
- DOJ submits fingerprint information electronically to the Board using the ORI Code assigned to the Board. Fingerprint information cannot be shared even between boards and bureaus within the Department of Consumer Affairs.
- Fingerprint information is entered electronically into the applicant's BreEZe file.

### *Reasons for Rejection:*

- Incomplete Live Scan Form  
One of the most common items left blank is the "Job Title or Type of License, Certification or Permit" section on the Live Scan form.
- Fingerprint Quality  
The applicant's fingerprint characteristics are too low to be used.

### *Reasons for Resubmission:*

- Fingerprints Rejected  
If the applicant's fingerprints are rejected, they must be reprinted. The applicant will need to take three new copies of the Live Scan form and a copy of the rejection

notice to the same scanning agency used to complete the original scan. Applicants should not be charged for a rescan.

- Fingerprints Rejected Twice

If the applicant's reprint is rejected by the FBI a second time *for the same reason* the Board will now have the authority to request a name check for the applicant (see attached form). This form is completed by Board staff and submitted to the DOJ;

- The Board can only submit a name check if the request is received within 75 days of the second FBI rejection. If it is past the 75 deadline, the applicant will be required to reprint.
- If the second rejection is for a different reason than the first, the applicant will be required to reprint.
- There is no name check for a DOJ rejection; however, this seldom occurs.

*Reasons for Non-submission from DOJ and FBI:*

- Different Names Used

Staff will search in BreEZe reports if the DOJ and FBI fingerprint information is not in the applicant's BreEZe file. The most common reason for the search is that the name on the file in BreEZe did not match exactly what is written on the Live Scan form. Staff will manually enter the fingerprint information in the applicant's file.

- Arrest Record

There are times when the DOJ does not respond with a clearance or rejection. A slow response could mean that the applicant has an arrest record.

- Live Scan Operator Error

A problem may have occurred during the Live Scan process. If this happens:

- The applicant can follow up with the Live Scan Agency.
- The Live Scan form had incorrect information (i.e.: DOB, SSN, Name, etc.). If so, the applicant will be required to reprint.

Board staff can submit an Applicant Fingerprint Transaction Follow-Up Request form to the DOJ when the fingerprint information is not received a reason is not found. However, it can take up to 45 days to receive a response.

*Process when Board Receives Conviction Information:*

- If the DOJ or FBI reports that the applicant has a conviction, the applicant is required to complete the Board's Conviction/License Disciplinary Action Form and submit certified copies of the conviction and disposition of the case and any other documentation related to the conviction(s).
- The conviction documentation is then reviewed by the Board's Enforcement Unit.

Attachments:

Request for Live Scan Service form and instructions

Request for Applicant Name Check by the Federal Bureau of Investigation (FBI) form

Applicant Fingerprint Transaction Follow-Up Request form

Conviction/License Disciplinary Action form

Action:

For informational purposes only. No action required.

REQUEST FOR LIVE SCAN SERVICE

Applicant Submission

ORI: A0435 Code assigned by DOJ Type of Application: (check one) Employment [X] License, Certification, Permit [ ] Volunteer [ ]

Job Title or Type of License, Certification or Permit:

Agency Address Set Contributing Agency:

BOARD OF PSYCHOLOGY

05637

Agency authorized to receive criminal history information

Mail Code (five-digit code assigned by DOJ)

1625 North Market Blvd., Suite N-215

N/A

Street No. Street or PO Box

Contact Name (Mandatory for all school submissions)

Sacramento

CA

95834

( )

N/A

City

State

Zip Code

Contact Telephone No.

Name of Applicant:

(Please print)

Last

First

MI

AKA's:

Last

First

CA Driver's License #

DOB:

SEX: [ ] Male [ ] Female

Misc. No.

APPLICANT MUST PAY

Agency Billing Number (if applicable)

HT:

WT:

Misc. No.

N/A

EYE Color:

HAIR Color:

Home Address: (Applies only if Youth Org/HRA or Public Utility submission)

Place of Birth:

N/A

Street or PO Box

SOC:

City, State and Zip Code

Your Number:

N/A

OCA No. (Agency Identifying No.)

Level of Service

DOJ [X]

FBI [X]

If resubmission, list Original ATI No.

Employer:

(Additional response for Department of Social Services, DMV/CHP licensing, and Department of Corporations submissions only)

N/A

Employer Name

N/A

N/A

Street No.

Street or PO Box

Mail Code (five digit code assigned by DOJ)

N/A

N/A

City

State

Zip Code

Agency Telephone No. (Optional)

Live Scan Transaction Completed By:

Name of Operator

Date

Transmitting Agency

ATI No.

Amount Collected/Billed



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## Fingerprint Procedures

Before the Board of Psychology (Board) can issue a license or registration, a clearance must be received from the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) to document that there is no criminal history that has a substantial relationship to the qualifications, functions or duties of a psychologist, registered psychologist, or a psychological assistant.

Fingerprints must be scanned for a criminal history clearance through a process called "Live Scan." This process requires applicants to go to a Live Scan site for fingerprint scanning services. Live Scan sites are located throughout the state at various locations within each county. For a complete listing of Live Scan sites, visit the DOJ web site at <http://ag.ca.gov/fingerprints/publications/contact.php>.

A completed "Request for Live Scan Service" form must be taken (in triplicate) to a Live Scan site. Fingerprint clearance information will not be submitted by the Live Scan service without this form. The form can be downloaded from the Board's website at [www.psychology.ca.gov/forms\\_pubs/live\\_scan.pdf](http://www.psychology.ca.gov/forms_pubs/live_scan.pdf). Once the scanning process is complete, the Live Scan operator will return parts 2 and 3 of the form. *It is the applicant's responsibility to send the Board part 2 of the form along with the licensing or registration application so the Board will have record that the fingerprints have been scanned. Part 3 is the applicant's copy.*

**Note:** In box 1 of the Request for Live Scan Service form – Job Title or Type of License, Certification or Permit, application type must be entered (psychologist, registered psychologist, or psychological assistant). The FBI will reject the prints if this line is blank.

**Note:** In box 3 of the Request for Live Scan Service form – All blank fields must be completed.

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This web site contains PDF documents that require the most current version of Adobe Reader to view. To download click on the icon below.





### REQUEST FOR APPLICANT NAME CHECK BY THE FEDERAL BUREAU OF INVESTIGATION (FBI)

[Print Form](#)

[Reset Form](#)

This form is to be used by the **submitting applicant agency** to request an FBI name check after an applicant has had two transactions rejected due to poor fingerprint quality. Both rejections must be for the same applicant type and title. An FBI name check request must be received by the Department of Justice (DOJ) within 75 calendar days of the second rejection notice or the applicant will need to be reprinted. This time frame allows the DOJ to process the request and forward it to the FBI within the required 90 days. **Please note: The FBI deletes all fingerprint records after 90 days.**

#### CONTRIBUTING AGENCY INFORMATION

Agency Name \_\_\_\_\_

Date: \_\_\_\_\_

Address \_\_\_\_\_

City, State ZIP Code \_\_\_\_\_

Requestor: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

#### APPLICANT INFORMATION (Must be the same information as entered on both rejected transactions)

Name: \_\_\_\_\_

Maiden Name/Alias: \_\_\_\_\_

Male  Female Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Eyes: \_\_\_\_\_ Hair: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_ Social Security Number: \_\_\_\_\_

ATI Number: \_\_\_\_\_ OATI Number: \_\_\_\_\_

Submit completed request to:

Department of Justice  
Bureau of Criminal Information & Analysis (BCIA)  
FBI Response Unit  
P.O. Box 903417  
Sacramento, CA 94203-4170  
Fax: (916) 227-3820 E-Mail: [FBI.ResponseUnit@doj.ca.gov](mailto:FBI.ResponseUnit@doj.ca.gov)

#### FBI NAME CHECK REPLY (For DOJ Use Only)

- Our files reflect only one transaction was rejected by the FBI. The applicant must be reprinted.
- The name check request was not received by the DOJ within 75 days of the second FBI rejection. The applicant must be reprinted.
- One or more of the FBI rejections were due to data, not fingerprint quality. The applicant must be reprinted.
- The transactions rejected by the FBI are for different applicant types and titles. The applicant must be reprinted.
- Other \_\_\_\_\_

**DO NOT MODIFY THIS FORM**

# APPLICANT FINGERPRINT TRANSACTION FOLLOW-UP REQUEST

This form is to be used for requesting the processing status of an employment, licensing or certification fingerprint transaction where no response has been received. This form is not intended to be used for updating an agency's file with current criminal history information or any other record keeping purpose.

To: Bureau of Criminal Identification and Information      Requestor: \_\_\_\_\_  
 Applicant Processing Program                                      Telephone Number: \_\_\_\_\_  
 P.O. Box 903417                                                              Date: \_\_\_\_\_  
 Sacramento, CA 94203-4170  
 (916) 227-3823      FAX (916) 227-2000

**Contributing Agency and Address**

Board of Psychology  
 1625 N Market Blvd Ste N215  
 Sacramento CA 95834

Type of Application: \_\_\_\_\_

**FINGERPRINT CARD**       **LIVESCAN**  
 (30 Working Days)                      (7 Working Days)

\_\_\_\_\_  
 Agency Mail Code      ATI Transaction Number

### FOLLOW-UP REQUEST FORM

I have called (916) 227-4557 to determine the status of this fingerprint transaction. The transaction is:

- Complete but I have not received a response       Is in process      **OR**  
 There is no record of the transaction (please do not reprint unless directed)

CALIFORNIA FINGERPRINT TRANSACTION      **AND/OR**       FBI FINGERPRINT TRANSACTION

Applicant's Name	Last	First	Middle	
Maiden or Alias	DOB (Mandatory)		Sex	Date Print or Transaction Submitted
CII#/SID (Optional)	SOC#		DL#	

### FOLLOW-UP REPLY:

- We have no record of receipt of this fingerprint transaction. Please reprint and include with a copy of a form, cancelled check for proof of previous payment, or <sup>transmittal</sup>livescan (ATI) transaction number.
- Your fingerprint transaction was received and processed. The results are attached. If your agency has an electronic mail code, please verify that the correct code was used and the e-mail or fax address on this response is correct.
- A search of Bureau files shows the fingerprint transaction was partially processed. However, the transaction was rejected on \_\_\_\_\_ because of poor quality fingerprints. Please reprint and include the livescan (OATI) transaction number.
- Your fingerprint transaction has been received, however there has been a delay in processing. If you do not receive a reply in 30 days, please resubmit a follow-up request with a copy of this form.
- A fingerprint transaction for a subject with a similar name and date of birth has been located and is in process. However, we are unable to determine if this is the fingerprint transaction submitted by your agency. If you do not receive a reply in 15 days, please resubmit a follow-up request with a copy of this form.
- Other \_\_\_\_\_

PLEASE DO NOT MODIFY THIS FORM

TO BE COMPLETED IF YOU ARE REPORTING A CONVICTION OR LICENSE DISCIPLINARY ACTION  
(SEE PAGE 2 FOR REQUIRED DOCUMENTATION)

*If you are reporting more than one conviction/license disciplinary action,  
please complete a copy of this form for each conviction/action.*

<b>NAME OF APPLICANT</b>			
Last	First	M. I.	Jr., Sr., I, II
Conviction/Disciplinary Action Taken by Another State or Country			Date of Offense
Location of Offense (City and State)		Court of Jurisdiction/Agency	
Dates of Imprisonment: _____ to _____		Dates of Parole: _____ to _____	
Dates of Probation: _____ to _____			
Were you enrolled in a substance abuse program?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
<i>If "YES," please complete the following:</i>			
Name of Program		Start Date	Completion Date
Describe the Underlying Circumstances of the Incident <i>(use additional paper if necessary):</i>			

***I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.***

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

(Revised 3/15)

**The following documentation will be required before your file can be reviewed:**

### **CONVICTION OF A CRIME**

You must submit all of the following:

- Certified copies of the conviction(s) and disposition of your case from the court clerk of the court in which you were convicted.
- All related police reports.
- Proof of successful completion of probation.
- A letter from you describing rehabilitation efforts or changes you have made to prevent future problems. It is your responsibility to present sufficient evidence of rehabilitation to demonstrate your fitness for licensure.\*

PLEASE NOTE: If your conviction involved the use of drugs and/or alcohol, you must also submit certified copies of certificates of completion from each program attended.

### **LICENSE DISCIPLINARY ACTION**

You must submit the following:

- A certified copy of the determination made by the licensing entity. This document should include date and location of the incident, specific violation(s), date of disciplinary action, sanctions or penalties imposed, and the completion dates.
- A letter from you describing rehabilitation efforts or changes you have made to prevent future problems. It is your responsibility to present sufficient evidence of rehabilitation to demonstrate your fitness for licensure.\*

#### **\* REHABILITATION**

California Code of Regulations, Title 16, Section 1395, states that when considering the denial of a license or registration under section 480 of the Code, the Board of Psychology, in evaluating the rehabilitation of the applicant and his or her present eligibility for a license or registration, will consider the following criteria:

- The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.
- Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under section 480 of the Code.
- The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2) of section 1395.
- The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.
- Evidence, if any, of rehabilitation submitted by the applicant.