

Memorandum

To: Community Mental Health Programs

From: Connie Rush, Mental Health Licensing & Certification Manager

Date: February 26, 2026

Subject: Background Checks for Initial Mental Health Residential Applications

The Background Check Unit (BCU) is a shared unit that processes background checks for the Oregon Department of Human Services and Oregon Health Authority for all behavioral health providers except Substance Use Disorder (SUD) Residential and Withdrawal Management facilities and SUD outpatient treatment services including opioid treatment services. The BCU is the appointing authority that may approve a provider representative to be a Qualified Entity Designee (QED) who is an approved subject individual who has been authorized to initiate background checks.

To be QED approved, the provider must either be licensed, certified, registered or otherwise regulated or authorized for payment by the Department or Authority, or be within 30 days of obtaining licensure, certification, registration or authorization and must already be an approved subject individual. As ORCHARDS (Oregon Criminal History & Abuse Records Database System) is a highly restricted system, BCU is not able to provide QED status to an applicant or provider outside of these parameters. For now, this means background checks for initial applicants and owners of potential Mental Health residential settings including Residential Treatment Facilities, Residential Treatment Homes and Secure Residential Treatment Facilities, will be initiated by the Mental Health Licensing & Certification team. **NOTE:** This does not apply to Adult Foster Homes.

Under [42 CFR §455.434](#), the Centers for Medicare and Medicaid Services requires that the applicant and any person with five percent or more controlling interest must have an approved background check. These background checks requests and copies

of identification must be submitted to the Mental Health L&C QEDs by the applicant as part of the complete application packet. If the applicant or owner fails to obtain an approved background check, Mental Health L&C will offer the applicant an opportunity to withdraw their application, rather than continuing to process an application that will need to be denied because the applicant does not meet the minimum qualification requirements.

Mental Health L&C has developed a form for this process that will be included in with all blank applications provided. This form will also be made available on our website at <https://www.oregon.gov/oha/HSD/AMH-LC/Pages/RT.aspx>. Background check requests for the applicant, owners and administrator must be submitted to BHD.MH.LCBackgroundCheckRequest@oha.oregon.gov. Only BHD MH L&C QEDs will have access to the information in this email box.

Once Mental Health L&C has completed the initial walk-through of a new potential facility/home and Mental Health L&C is confident that a license is likely to be issued, Mental Health L&C will complete a warm hand-off to BCU so the applicant can apply for QED status. Once QED status is obtained, the applicant QED becomes fully responsible for initiating all other background checks for staff in that specific facility for the initial application and for conducting all future background checks. Mental Health L&C will verify all other background checks were completed and approved prior to issuance of the license.