



STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH & HUMAN SERVICES
DIVISION OF LONG TERM SUPPORTS & SERVICES
BUREAU OF ELDERLY & ADULT SERVICES

BEAS 3655
05/2020

**Frequently Asked Questions for Employers
Regarding the BEAS State Registry**

1. What is the BEAS State Registry?

The Bureau of Elderly and Adult Services (BEAS) State Registry is a database containing information on founded reports of abuse, neglect or exploitation of vulnerable adults by a paid or volunteer caregiver, guardian, or agent acting under the authority of a power of attorney (POA) or any durable power of attorney (DPOA). The creation and maintenance of the Registry is required under New Hampshire's Adult Protection Law (RSA 161-F:49).

2. Who can access the State Registry to check if an individual's name is on it?

The State Registry is not public information and is confidential. Any employer that is licensed, certified or funded through the NH Department of Health & Human Services (DHHS) and provides services to vulnerable adults must submit form 3655, "BEAS State Registry Consent Form" before hiring a prospective employee. Any person designating another to act as an agent on his or her behalf- as a POA or DPOA- can submit a consent form to check the individual's name. Any person hiring or employing a paid or volunteer caregiver, consultant or contractor directly to provide personal care services can submit a consent form to check the individual's name. Individuals can check their own name by submitting a consent form.

3. As an employer, should I submit the consent form as I consider offering employment to an individual?

An offer of employment should be imminent before submitting the consent form.

4. As an employer, how would I submit consent forms for volunteers/prospective employees who are under 18 years of age?

You can submit the consent form for individuals under the age of 18. However, the consent form must also be signed by his or her parent or guardian.

5. As an employer, can I get information over the telephone?

No information is given over the telephone. A signed and witnessed consent form from the prospective employee must be submitted. Anyone age 18 years or over can serve as a witness on the form.

6. Can Employment Agencies check the State Registry?

No, Employment agencies are considered third party agencies. The employer that will be hiring the individual must submit the consent form directly.

7. How do I access the State Registry?

You must submit Form 3655 "BEAS State Registry Consent Form". Form 3655 must be signed by the applicant and witnessed.

8. Is there a charge for submitting a consent form?

There is no charge for submitting a consent form to the State Registry.

The Department of Health and Human Services' Mission is to join communities and families in providing opportunities for citizens to achieve health and independence.

9. Where can I access this form?

You can access the form on line at <http://www.dhhs.nh.gov/dcbcs/beas/registry.htm> and print it or you can call (603) 271-8154 to request to have a copy mailed or faxed to you.

10. How often should an employer submit an individual's name to check to see if their name has been entered onto the registry?

An individual's name need only be checked once upon employment. However, there is a process for appealing a founded report, and during the appeal process, the individual's name will not be entered on the Registry. Therefore, it would be prudent to check employees' names periodically.

11. If I am a contractor providing services through a larger employer/agency, can I submit the consent forms for someone moving into my home?

No, the employer that contracts with you must submit the consent form.

12. What if the form comes back with a positive check, can I hire the individual?

No, if your agency is licensed, certified or funded through the NH Department of Health and Human Services unless your agency requests and obtains a waiver from the Department as explained in #14 below.

Yes, if you are an individual hiring or employing a paid or volunteer caregiver, consultant or contractor directly to provide personal care services. Although you can hire the person, it is a red flag if they are on the Registry.

13. As an employer, if I hire an individual and check his or her name periodically, and I am notified of a positive check, must I terminate the individual?

No, you do not have to terminate the individual's employment. However, if you are notified by the State Registry Office of a positive check, you must take immediate action to ensure the safety of the people in your care. This action may include, but not be limited to: providing more training for the individual, reassignment, probationary employment and/or ensuring that the individual has more direct supervision when working with the people in your care.

14. For employers who are licensed, certified or funded through DHHS, are there any exceptions to the requirement that the individual cannot be hired if his or her name is on the registry?

The employer can request a waiver to this requirement from the NH DHHS, and if the waiver is granted, may hire the individual. Additional information on the waiver process can be obtained by calling the State Registry Office at (603) 271-8154.

15. How long will it take to process the consent form?

The State Registry receives between 100 and 150 consent forms each day. You will receive the processed consent form within five (5) business days from the date received.

16. How will I receive the processed consent form?

In most cases the consent forms are faxed. However, if you do not have a fax machine, the form will be mailed.