# Vocational Rehabilitation Services Manual A-200: Customer Rights and Legal Issues

Revised June 3, 2019

## A-206: Confidentiality and Use of Customer Records and Information

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### A-206-4: Release of Customer Records and Information

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#### Release of Customer Criminal History Records Obtained from the Department of Public Safety

Occupations requiring a license permit or other credential may include a computerized criminal history search (CCH) as part of the credentialing process.

If a customer wants to work in an occupation or participate in a training program requiring a license, permit, or other type of credentialing, the VR counselor should explain to the customer why the CCH search is necessary and document in a case note the reasons for obtaining the CCH, along with a summary of the discussion with the customer.

Requests for the CCH search can be submitted only on cases determined eligible or that are in active status. Criminal history cannot be considered part of the eligibility determination process, only as part of the employment planning occurring during the comprehensive assessment and plan development process or when in active status.

To request a CCH search on a customer, the VR counselor completes [VR1510, Request for Computerized Criminal History (CCH) Search](http://intra.twc.state.tx.us/intranet/gl/html/vocational_rehab_forms.html), and sends it by email to the regional point of contact. The CCH requested by VR covers offenses that occurred in Texas.

The CCH report is critical to the decision-making process. A VR counselor should not approve a vocational goal for any occupation requiring a license that the [Texas Department of Licensing and Regulation (TDLR)](http://www.tdlr.texas.gov/) has determined would be prohibited to individuals with criminal backgrounds. The VR counselor should discuss other vocational goals with the customer if the customer has a criminal history that precludes a licensed profession. If an occupation requires a license not issued by TDLR, the VR counselor must contact the appropriate licensing entity to determine if it is feasible for the customer to be licensed.

Refer to B-405-4 Evaluating and Documenting Computerized Criminal History Results for policy and procedure on documenting and storing a CCH.

VR receives customer criminal history records from the Texas Department of Public Safety (DPS) on the assurance that the records will:

* be used for rehabilitation purposes only; and
* not be further released by VR to another organization or individual, including the customer or customer's representative, unless there is a valid release or written request from the customer or a valid court order.

Except for requests contained in valid subpoenas after the release is approved by OGC or other court orders or for a written request from a customer, the VR counselor does not honor any requests for such records and does not release the documents obtained from DPS outside of VR

Based on Government Code §411.085(a)(2).

#### Release of Information Obtained from Disability Determination Services

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