

POLICY ON CRIMINAL BACKGROUND CHECK UTHSC STUDENTS

PREAMBLE

Prior to starting a clinical rotation with a contracted/affiliated hospital or healthcare facility, students are required to undergo a **criminal background check (CBC)** to enhance patient safety and protection. **This is a requirement placed on the healthcare facilities by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO).** In compliance with this requirement, the University of Tennessee Health Science Center (UTHSC) has drafted the following policy to assist students in completing professional training in their respective healthcare field.

1. UTHSC requires that admitted students undergo a CBC prior to matriculation.
2. All currently enrolled students, with the exception of those anticipated to graduate in December 2005 or May 2006, are required to undergo a CBC no later than December 31, 2005 to satisfy the requirements of the affiliated health institutions (clinics, hospitals, health organizations or facilities).
3. A private company approved/licensed to perform CBCs will conduct these background checks.
4. The student is responsible for initiating the procedures to obtain the background check and will assume the cost.
5. The CBC search may include sources such as the following:
 - a) **County Criminal Record Search** (7 years) from addresses disclosed on the ID Search Plus;
 - b) **ID Search Plus** verifies and checks for contradictory application information by matching a consumer's name, address and/or social security number against Trans Union's credit-reporting database. ID Search Plus delivers current/previous addresses, SSN, birth dates and aliases;
 - c) **FACIS** (level 3) is a search of a vast database containing adverse actions of individuals and entities in the healthcare field. This includes information on disciplinary actions ranging from exclusion and debarments to letters of reprimand and probation. Level 3 – Office of Inspection General (OIG)/ US General Services Administration (GSA) and other federal sources, plus 50 states (800+sources). This search exceeds minimum federal requirements;
 - d) **Sex Offender Database** – A database search for individuals registered as sex offenders in the selected state or jurisdiction. Information and offender level retrieved varies by location;

- e) **Tennessee Abuse Registry** – The Tennessee Department of Health is required by state law and federal regulations to maintain a registry of persons who have abused, neglected, or misappropriated personal property;
 - f) **License verification**;
 - g) **Employment histories**.
6. A student whose CBC shows negative findings, including the following, may be excluded by the healthcare facility from a clinical placement program:
- a) History of any felony conviction within the last seven years
 - b) History of class “A” misdemeanor conviction within the last seven years
 - c) History of class “B” misdemeanor conviction within the last seven years
 - d) Listing on the registry maintained by the Department of Health pursuant to T.C.A. Section 68-11-1004
 - e) Listing on any of the following registries: HHS/OIG list of excluded individuals, GSA list of Parties Excluded from Federal Programs, U.S. Treasury, Office of Foreign Assets Control (OFAC), List of Specialty Designated Nationals (SDN),
 - f) An encumbered license (current or prior) in a health-related field.

The background check vendor will provide a summary report (without detail) of the above eligibility screens to the designated UTHSC official (s) for each student.

PROCESS

1. UTHSC will notify all newly admitted students of the new requirement that they must have an approved Criminal Background Check prior to matriculation. A student who is challenging any part of the CBC may enroll if he/she acknowledges that the challenge must be cleared prior to registration
2. UTHSC will notify all enrolled students of the new requirement that they must pass a Criminal Background Check prior to being placed (as part of their training) in an affiliated healthcare facility
3. Students will be referred to the Tennessee Hospital Association (THA) website (www.tha.com) and will click on “Student Background Checks”
4. The students will access the THA website and electronically complete the online process for initiating the background screening and following the directions, including:
 - a) Posting his/her biographical information for the past seven years,
 - b) Electronically signing the “Disclosure & Authority to release Information” Form, and
 - c) Making payment by electronic bank transfer or credit card.

5. The order will subsequently be processed by the private company. The Company will:
 - a) Manually enter data to request county criminal searches based on the past seven years of residency and ID Plus search results, OIG, Tennessee Abuse Registry, and verification of licensure, Certification or Designation, and employment verification,
 - b) Complete the background check,
 - c) Compare and note any discrepant information,
 - d) Deliver the reports as agreed upon completion.
6. A summary report will be sent to UTHSC displaying only the following limited information:
 - a) The student's demographic information,
 - b) The type of verification ordered,
 - c) Color-coded: **GREEN** = No discrepancies, **YELLOW** = Pending or undetermined records, and **RED** = Convictions on criminal searches or disqualifying results on all other verifications.

(Details regarding the background check will not be displayed)
7. The only fully detailed copy of the report will be delivered directly to the student by standard U.S. Mail or electronically (if possible and with the student's prior approval)
8. When the summary report is coded GREEN, UTHSC will add that information to the student's file and notify the student's healthcare site that the student has received a clear (Green) rating from the private company. If the health care site requires additional information or investigations, either UTHSC or the healthcare site will notify the student.

CHALLENGED RESULTS:

1. Students who question the accuracy of the report should immediately send a brief written statement as to the area they believe to be incorrect to the private company that performed the CBC,
2. Re-verification will be made if the company determines that reasonable grounds exist and that the request is not frivolous or irrelevant,
3. If parts of the report are deleted or changed because of re-verification, UTHSC and the student will receive a corrected report,

4. If the student does not challenge the RED or YELLOW results from the private company that conducted the CBC and when the CBC findings are such that the student does not meet the healthcare site's CBC requirement, UTHSC enrollment and or participation in all clinical rotations may be denied.

Notification from UTHSC that a prospective student is denied enrollment or a currently enrolled student is denied participation in clinical rotations due to CBC findings will be notified by certified letter from the appropriate Dean (Academic or Student Affairs) of the respective college explaining why the student cannot matriculate or continue in the program.

All disputes pertaining to the CBC findings must be communicated in writing directly to the private company that conducted the CBC.

ADVERSE RESPONSE:

A "RED" or a "YELLOW" code on a summary report may result in the following action:

The Academic and/or Admission Dean of the respective UTHSC college will notify the student by telephone and in writing that the student must schedule an appointment to review the results of his/her background check. It will be necessary for the student to bring the complete, detailed copy of the report and all correspondence from the private company that conducted the CBC to the appointment.

The student and the Academic and/or the Associate Dean will meet to solicit additional information or appropriate explanation of the code.