

## **Allied Health Division Criminal Background Check**

### **Introduction**

The Joint Commission requires verification of competency of all individuals who have direct contact with patients or employees; this includes students doing clinical rotations in the facility. Competency extends beyond technical skills to an individual's criminal history.

### **Purpose:**

This policy is designed to protect the community of health care consumers from services provided by students who have documented illegal and unethical behaviors. These requirements also allow the Allied Health division to be in compliance with clinical affiliation agreements.

### **Policy:**

Successful completion of a criminal background check is required for admission and continuation in all Allied Health Programs. Students will be given specific directions from the program about how to obtain the background check.

Background checks will be honored for the duration of the student's enrollment in the clinical program if the participating student has not had a break in the enrollment of an Allied Health class. A break in enrollment is defined as nonattendance of one full semester or more. The above information must be verifiable through the college/school and must be sent to the clinical agency.

The following histories will disqualify an individual from consideration for admission because the student would not be eligible for clinical placement: (this includes, but is not limited to):

- Murder
- Capital murder
- Manslaughter
- Criminally negligent homicide
- Unlawful restraint
- Kidnapping
- Aggravated kidnapping
- Continuous sexual abuse of a young child or children
- Indecent exposure
- Indecency with a child
- Improper relationship between educator and student
- Improper photography or visual recording
- Sexual assault
- Aggravated assault
- Aggravated sexual assault
- Intentional, knowing, or reckless injury to child, elderly individual, or disabled individual

- Intentional, knowing, or reckless abandonment or endangerment of child
- Deadly conduct
- Terroristic threat
- Aiding suicide
- Prohibited sexual conduct (incest)
- Agreement to abduct child from custody
- Violation of certain order in family violence case
- Violation of protective order preventing hate crime
- Sale or purchase of child
- Arson
- Robbery
- Aggravated robbery
- Burglary
- Online solicitation of minor
- Money laundering
- Medicaid fraud
- Cruelty to animals
- Compelling prostitution
- Causing sexual performance by a child
- Possession or promotion of child pornography
- Any other offense for which registration as a sex offender is required

The following histories will disqualify an individual from consideration for admission if the conviction occurred within the last five (5) full calendar years:

- Assault punishable as a Class A misdemeanor or felony.
- Theft punishable as a felony
- Misapplication of fiduciary property or property of financial institution punishable of Class A misdemeanor or felony
- Securing execution of a document by deception punishable as a Class A misdemeanor or felony (not tampering with a government document)
- False identification as a peace officer
- Disorderly conduct

### **For students accepted to a clinical program with access to a licensing/registry body review process:**

If an individual does not meet one or more of the aforementioned standards, she/he may pursue a declaratory order process with her/his licensing/registry body. If the licensing/registry body approves the individual to take the licensing/credentialing exam, the individual may be able to participate in the clinical rotation, depending on the affiliation agreement.

### **Disclaimers**

- **Successful completion of a criminal background check for an Allied Health Program does not ensure eligibility for licensure or future employment.**
- **Clinical agencies can establish more stringent standards, if they so desire, to meet regulatory requirements for their facility.**
- **Clinical agencies can conduct additional background checks at their discretion.**
- **If a student is found to be ineligible for clinical placement any time during the program, the student is unable to meet clinical learning objectives and will be withdrawn pending resolution of the situation.**

### **Costs for Background Checks**

Cost of the criminal background check will be the responsibility for any students entering Allied Health Programs at McLennan Community College. Students will use the testing agency designated by the College. The student will be responsible for scheduling his or her own time at the agency and will be required to follow all procedures required by that agency for accurate testing. The student will be responsible for ensuring that the results of all testing be sent by the agency directly to the director of the allied health program in which they are admitted or enrolled.

### **Screening Requirements**

Successful completion of a criminal background check is required for admission and continuation in all Allied Health programs at McLennan Community College. Admission to an Allied Health program is considered conditional until the results of the criminal background check are approved by the program director. Students will be given specific instructions from the program about obtaining the background check.

Drug screens and criminal background checks must also be completed within the thirty (30) days prior to a student's initial entry into the clinical assignment portion of his or her respective health science program. For some programs, clinical assignments begin immediately when classes begin for the semester. For other programs, clinical assignments are scheduled for later in the program. Verification of a negative drug screen and a satisfactory criminal background check must be received prior to the first clinical day in the student's program. The results may be acceptable for all clinical rotations during the student's enrollment in the program unless there is a break during that student's enrollment. A

break in enrollment (leaving the program) is defined as nonattendance for a portion of a semester or more. Attendance must be verifiable through the College.

Students who are not disqualified should not assume that their criminal background check shows no criminal activity. The student should report any convictions to the appropriate licensing or registry boards at least three months prior to the examination date.

Each student must report within three business days to the Program Director and the Division Chair of Allied Health any arrests and/or criminal charges or convictions filed subsequent to the completion of the criminal background check. Failure to report will make the student subject to administrative withdrawal from the program.

Any student who changes programs or stays out of an Allied Health program at McLennan Community College for 12 months will be required to submit a new criminal background check and drug screen upon re-entry to the Allied Health Division.

All background check results on McLennan Community College students will be made available to clinical agencies upon request. Some clinical facilities require submission of the criminal background reports prior to the student beginning a clinical rotation.

### **Disclosure**

Students are required to disclose any prior criminal record by accurately answering the following question on the application for admission to the allied health program:

***Have you ever been convicted of a crime other than a minor traffic violation? (Circle one) YES NO***

Please note that <b>Driving Under the Influence (DUI)</b> and <b>Driving Under Suspension (DUS)</b> are NOT considered minor traffic violations. Failure to disclose may result in withdrawal from the program of study.
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### **Records of Criminal Background Checks**

Records of criminal background checks will be kept in a secured file in the office of the director of that student's allied health program. It will be accessible only to the program director, the program clinical coordinator, the division director for allied health, the dean of workforce education, any of the college vice presidents, the president of the college, the college attorneys, and any college judicial panel which may be created to review a student's case or upon court order.

**Allied Health Division Criminal Background Check**

I have read and understand the Allied Health Division Criminal Background Check policy. I understand that I must abide by this policy throughout my enrollment in any Allied Health Program at McLennan Community College.

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Student Signature

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Date

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Student's Printed Name

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Student ID Number