

**THE TEXAS A&M UNIVERSITY SYSTEM
HEALTH SCIENCE CENTER RULE**

11.04.99.Z2 Criminal Background Checks on Students

Approved September 6, 2006

Supplements System Policy 11.04

1. RATIONALE

- 1.1 Safety and Well-Being of Patients. Health care providers are entrusted with the health, safety and welfare of patients; have access to controlled substances and confidential information, and operate in settings that require the exercise of good judgment and ethical behavior. Thus, an assessment of a student or applicant's suitability to function in such a setting is imperative to promote the highest level of integrity in health care services.
- 1.2 Accreditation Standards. Clinical facilities are increasingly interpreting standards by accreditation agencies, such as Joint Commission of Accreditation of Healthcare Organizations (JCAHO), to require background checks for security purposes on individuals who provide services within the facility and especially those who supervise care and render treatment to vulnerable populations. To facilitate this requirement, education institutions have agreed to conduct these background checks for students.
- 1.3 Licensure Issues. Clinical rotations and early experiential rotations are an essential element in certain health science curricula. Students who cannot participate in clinical rotations due to criminal or other adverse activities that are revealed in a background check may be unable to fulfill the requirements of the program. Additionally, many healthcare licensing agencies require individuals to pass a criminal background check as a condition of licensure or employment. Therefore, it is in everyone's interest to resolve these issues, prior to a commitment of resources by the HSC, the student, or applicant.
- 1.4 Contractual Obligations. The Health Science Center components are obligated to meet the contractual requirements contained in affiliation agreements between the HSC and the various healthcare facilities.
- 1.5 Liability Issues. Given the current medical liability environment, institutions of higher learning and health care facilities are appropriately attentive to those factors that may adversely affect the security of the clinical environment and thus increase their liability exposure. As a result, schools and health care facilities, both independently and, at times, through legislative mandate, have appropriately

sought to enhance their scrutiny of professional and non-professional students involved in patient care activities.

2. APPLICABILITY

All accepted applicants or students enrolled in an educational program at The Texas A&M University System Health Science Center that includes, or may include at a future date, assignment to a clinical health care facility will be required to undergo a criminal background check.

3. IMPLEMENTATION

Each component will develop internal policies to address criminal background checks on students and must contain:

- 3.1 Scope of background checks
- 3.2 Process for conducting the background check and person responsible for payment
- 3.3 Frequency of checks
- 3.4 Confidentiality and recordkeeping procedures
- 3.5 Administrator and/or committee charged to review positive or remarkable findings
- 3.6 Process for administrative review and possible outcomes of the review
- 3.7 Students' right to review or appeal findings of the background check
- 3.8 Factors upon which decisions concerning positive findings will be made

4. REVISION

The Rule for Criminal Background Checks on Students will be reviewed no less than every three years by the Student Services Administrative Council and recommendations for change will be forwarded to the HSC Executive Committee.

OFFICE OF RESPONSIBILITY

Vice President for Academic Affairs