

Background Checks for Student Clinical Placement

Frequently Asked Questions (FAQs)

Q1. Why do I need criminal background checks before I enter the clinical experience at Ohio healthcare facilities?

- A1.**
1. The use of background checks for individuals working in clinical settings is one of the means agencies use to help protect their clients/patients. While obtaining background checks is not new for clinical agencies, The Joint Commission has recently added to their Human Resources standards (HR.1.20) a section related to criminal background checks. The Joint Commission standard requires agencies to include nursing students in criminal background checks when required by state law, regulation or hospital policy. (www.jcaho.com)
 2. Ohio is one of the many states in the country to mandate criminal background checks. In 1993, Senate Bill 38 (SB 38) was passed and codified in Section 3701 of the Ohio Revised Code (ORC). SB 38 requires criminal records check for potential employees working in positions of responsibility for the care, control or custody of children. Senate Bill 160 (SB160), effective January 27, 1997, requires entities to request a criminal records check of each applicant under final consideration for a position that involves care to a person age 60 and older. **The law requires the record checks be requested from the Bureau of Criminal Identification and Investigation (BCII) and prohibits hiring an applicant who has been convicted of certain offenses or who fails to provide the information necessary for a records check.**

3. You need to know about the Ohio Board of Nursing Licensure requirements. (www.nursing.ohio.gov/pdfs/OHCRC.pdf)

The Ohio Board of Nursing requires all students who enter a pre-licensure program after June 1, 2003 to submit their fingerprints to the state Bureau of Criminal Identification and Investigation (BCII) and the Federal Bureau of Investigation (FBI) six to nine months prior to completing their nursing education. Students who wish to seek licensure in other states may be subject to similar requirements in those states. **Convictions, guilty pleas or judicial findings of guilt for any of the following crimes, classified as “egregious felonies” by the Ohio Board of Nursing, will preclude students from being licensed in Ohio and may preclude them from being licensed in other states as well. Egregious felonies include:**

- Aggravated Murder
- Murder
- Voluntary Manslaughter
- Felonious Assault
- Kidnapping
- Rape
- Sexual Battery
- Gross Sexual Imposition
- Aggravated Arson
- Aggravated Robbery
- Aggravated Burglary

The Ohio Board of Nursing may also deny any application for licensure if the student has pleaded guilty to, been convicted of, or had a judicial finding of guilt for any of the following:

- ANY Felony
- ANY Crime involving Gross Immorality or Moral Turpitude
- ANY Misdemeanor Drug Law Violation
- ANY Misdemeanor Committed in the Course of Practice

Other than the automatic licensure bars described above, the Board is unable to give definitive answers regarding licensure prior to entry into or during participation in a nursing education program.

Q2. What does a background check consist of?

A2. Depending on requirements of the healthcare organization, the background check can consist of the following:

- Criminal History Investigation (seven years)
- Sexual Offender Registry/Predator Registry
- Social Security Number Verification
- Positive Identification National Locator with Previous Address
- Maiden/AKA Name Search
- Medicare/Medicaid Sanctioned, Exclusive Individuals Report
- Office of Research Integrity (ORI) Search
- Office of Regulatory Affairs (ORA) Search
- FDA Debarment Check
- National Wants and Warrant Submission
- Investigative Application Review (by licensed investigator)
- Misconduct Registry Search
- Executive Order 13224 Terrorism Sanctions Regulations
- Search of Healthcare Data bank (NHDB) Sanction Report – which includes the following:
 - A Sanction Check search was conducted to verify applicants name(s) against the following data base:
FEDERAL AGENCIES
 1. Department of Health and Human Services (DHHS), Office of Inspector General (OIG) , List of Excluded Individuals and Entities (LEIE)
 2. General Service Administration (GSA)

Q3. Why must the school and healthcare facility perform background checks?

A3. There are three primary reasons for performing these checks:

1. A criminal record will likely prevent you from receiving a professional license upon completion of an educational program. Most state licensing boards perform a criminal background search as part of the licensure process, and it would be unfortunate to complete an education, yet be unable to be granted a license.
2. Hospitals in which you work as part of your clinical rotations are required to have a background check report on file for all providers of hands-on care, whether they are employees of the hospital or not (this included nursing students). Hospitals are putting their Joint Commission certification at risk by having an unchecked individual present in their facility.
3. It may be the case that a person may have a criminal record and is not aware of it. For instance, an old conviction that is eligible to be purged from the student's record must be expunged following a written request; if the student does not submit the written request, then the conviction will remain on the student's record even though it is eligible for removal. Such a conviction could prevent licensure or future employment. Finding out now allows the student to take the necessary steps to make proper amends. Also, if it is not possible to remove a conviction at present, it is recommended that the conviction be disclosed so that employment of licensure is not denied for providing false information.

Q4. How long does it take to process the background check?

A4. Most background check companies can process the check in as little as two business days. However, due to the investigative nature of the check that involves searching nationwide court records, extra time may be needed.

Q5. How will I know that my background check is done?

A5. You will be contacted by the authorized individual.

Q6. What if I have conviction on the report?

A6. You are allowed by law to examine the report and will be contacted if you want to dispute any findings contained in it. If the conviction was wrongly reported, the student may request that the report be amended to change the mistake. However, the occurrence of such errors is very infrequent. In some cases, one conviction may not be a permanent barrier to employment. Simply being honest about one's past can potentially answer questions about character that arise based on the report.

Q7. How long is the background check good for?

A7. The background check results are only good for one year. Make sure your background check is current for clinical and application of licensure.