1. **Purpose**

This policy establishes [ORGANIZATION]’s requirements for all pre-employment background and reference checks.

1. **Persons affected**

All [ORGANIZATION] employees and Home Health/Hospice volunteers.

1. **Policy**

[ORGANIZATION] will conduct background investigations including criminal history record checks, reference checks, educational verifications and licensure checks as a condition of employment to assist in making sound hiring and employment-related decisions affecting the well-being of the Hospital’s patients, visitors and other staff members.

1. **Definitions**

None.

1. **Responsibilities**

Department Directors will be responsible for offering positions contingent upon successful completion of reference and background checks.

Human Resources staff are responsible for conducting appropriate background checks on all candidates who have been offered employment with [ORGANIZATION] and communicating the results of such checks to appropriate persons.

1. **Procedures:**
   1. Background and reference checks will be required post-offer for all candidates, employees and all Home Health/Hospice Volunteers after the inception date of this policy.
      1. Rehired employees will not be required to undergo a full screen if hired back within six (6) months of separation. A full screen will be required if a check was not completed when they were previously employed at [ORGANIZATION].
      2. Students and contract staff are excluded from this policy if [ORGANIZATION] has agreements with the school or staffing agency stating that these individuals have successfully completed a background screen. If the school or agency has not completed the screening process, [ORGANIZATION] will complete the process. [ORGANIZATION] reserves the right to review all screens done by another facility prior to placing that person in the Hospital.
      3. Interns and job shadowers who are not allowed to work in isolation at [ORGANIZATION] may be excluded from this policy. These individuals will be under constant supervision and monitored by an employee/mentor.

6.2 The background and reference check information obtained by [ORGANIZATION] will only be used for the purpose of evaluating applicants for employment or reclassification, and in managing business risks.

* 1. [ORGANIZATION]’s Equal Employment Opportunity Policy will be followed with respect to any information obtained under this process. [ORGANIZATION] shall in no way use this information to discriminate on the basis of race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, marital status, or veteran status in accordance with applicable federal, state and local laws.
  2. This policy does not automatically exclude individuals with criminal convictions from consideration for employment. To determine candidate eligibility, the following factors will be considered if an individual has a criminal record: the nature of the criminal act, the frequency of criminal acts, the time since the last conviction, the time between convictions, the nature of the job, the qualifications of the individual for the job, and evidence the individual has successfully rehabilitated himself/herself. Employees working in a home care/hospice environment must not have been convicted of a crime under the laws of this State or another jurisdiction, the penalty for which was imprisonment for a period of more than one year and which is rationally related to the person’s fitness or capacity to act in that position or work environment.
  3. All offers of employment, including verbal and written confirmations, shall include a statement indicating that the offer is contingent upon the successful completion of the background and reference check process. [ORGANIZATION] may refuse to hire an applicant, may rescind an offer of employment to a finalist, or may terminate the employment of a current employee for not successfully completing the background and reference check process.
  4. The following checks will be conducted on all candidates given an offer of employment. This list is not all-inclusive and does not prohibit [ORGANIZATION] from conducting other types of screens. All records will be reviewed for applicability to the job assignment.
     1. Professional References – At least two work-related references may be required and checked on all candidates prior to a job offer. If an applicant has less than two professional references, the Department Director or Benefits and Compensation Coordinator will contact the applicant’s personal references to determine suitability for the position.
     2. Licensure and Certifications – All required licenses and certifications required at the time of hire, will be primary source verified through the appropriate issuing agency by the Human Resource department.
     3. Criminal History - Felony convictions of abuse, sexual assault, neglect or theft that occurred within the past seven years, that render individuals inappropriate to work with patients, visitors, or other employees will preclude a candidate from employment eligibility. All other convictions that occurred within the past seven years, including misdemeanor convictions of abuse, sexual assault, neglect or theft will be reviewed by the Director of Human Resources and the appropriate Vice President for severity, frequency and applicability to job assignment. Any felony convictions of abuse, sexual assault, neglect or theft that occurred beyond seven years will require the review and approval of the Director of Human Resources and applicable Vice President.
     4. Abuse and Sex Offender Registries– The Adult and Child Abuse Registry along with the Sex Offender Registry will be checked to verify that a candidate does not have an established record of abuse.
     5. DHHS Office of Inspector General (OIG) and General Services Administration (GSA) – These lists will be checked to verify that a candidate is not excluded from participation in Medicare/Medicaid and other Federal health care programs. The GSA is verified through the SAM system.
     6. Social Security – This report will be used to verify previous addresses and other names previously used, which will aid in the criminal history check. Potential identity theft will also be monitored through this report.
     7. Post Secondary Education – Post secondary education may be verified for positions with educational requirements. The only exception is when the post secondary education is the minimum necessary to obtain a required license. In this case, only the license will be verified.
     8. Driving Record – Motor vehicle records may be checked for any employee who will routinely drive a Hospital vehicle or a personal vehicle on behalf of [ORGANIZATION]. Applicants for positions requiring operation of a Hospital vehicle may not be hired if they do not have a valid driver’s license, or if they have a history of traffic violations.
  5. Criminal history record information will be regarded as confidential as required by law and will not be communicated to any unauthorized person.

1. **Process**
   1. All persons will be required to sign authorization forms at the time of application which will allow [ORGANIZATION] to proceed with the background and reference check. Refusal to sign authorization forms will eliminate the candidate from further consideration for employment.
   2. Once the decision has been made to hire an applicant, an offer of employment contingent upon the successful completion of the screens listed above may be made. In addition, the offer should also be made contingent upon the completion of the Hospital’s Pre-Employment/Post-Job Offer Physical, Medical and Drug Screens. The Human Resources department will submit a copy of the applicant’s release form to the third party vendor of background investigation services for processing.
   3. Upon receipt of the completed background report, the Human Resources department will review the findings as soon as possible with the Department Director.
      1. If the verified information is satisfactory and all other screens have been completed, the employee will be scheduled for new hire orientation.
      2. If the background report contains information that is concerning, or contrary to the information found on the application, the Department Director will review the background report with his/her Vice President and the Director of Human Resources to determine whether or not to continue with the employment process.
      3. Applicants not selected as a result of the information on a background report will be notified in writing in compliance with the Fair Credit Reporting Act (FCRA).
      4. Every effort will be made to verbally communicate the denial to the applicant.
      5. Formal written notice of the denial will be mailed to the individual to confirm the decision and provide contact information in the event the individual questions the results.
      6. The Human Resources department will notify the appropriate supervisor of the failure to successfully complete the screening process.
   4. If the background check does not include information which may disqualify a candidate from employment eligibility, the candidate may begin employment prior to the Adult and Child Abuse Registry report being received. Continued employment would still be contingent upon the successful completion and status of this check.
   5. Applicants, employees or others that fail to successfully complete the screens listed above shall first be reviewed by the Department Director and the decision confirmed by the appropriate Vice President or Director of Human Resources. The Human Resources department will notify all unsuccessful applicants.

Note: At all times, including after successful completion of background and reference checks, employment with [ORGANIZATION] is considered to be at-will, and the employment relationship may be terminated at any time for any reason by either party.

Effective date: August 21, 2021