Policy: Background Checks for Applicants and Students in the Department of Nursing

A. Applicability

This policy applies to all UND nursing students.

B. Policy

Applicants must submit to and satisfactorily complete the approved Department of Nursing background check as a condition of admission. An offer of admission is contingent upon the successful completion of the background check(s) with results deemed favorable. Admission may be denied or rescinded based on the outcome of the background check. Background checks must be completed annually prior to starting classes and may not expire during the semester.

Students who are currently enrolled must submit to and satisfactorily complete an annual background check as a condition of continuing enrollment in the Department of Nursing. Clinical agencies may have requirements which include verifications other than those required by Nursing. In those situations, students will be required to meet those individual agency standards prior to clinical placement, which may result in additional costs to students. Students who refuse to submit to the background check or do not pass the background check as defined by the Department of Nursing will be dismissed from the program. It is expected that all students will self-disclose any occurrences which could result in a discrepancy (criminal charge or conviction) on a background check to the Director of the Office of Student Services at the time of the occurrence. Occurrences resulting in a discrepancy (criminal charge or conviction may be considered grounds for dismissal.

As noted above, it is a requirement of the Minnesota Department of Human Services (DHS) that any student placed in Minnesota for a clinical/practicum experience and who has direct contact with vulnerable persons (children, elderly, those with mental health issues, disabled, homeless etc.) complete an additional background check. DHS considers any hospitalized patient a vulnerable person and in essence, any client under the care of a health care provider to be vulnerable. Students certainly may potentially provide direct care to any or all of these populations in any clinical/practicum. Since it is clearly a requirement of educational programs to meet this requirement, we need to have all students placed in MN agencies complete an additional background check on an annual basis. The cost is paid by the student.

C. Rationale

I. Health care providers are entrusted with the health, safety and welfare of clients, 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.

II. Clinical facilities are increasingly required by accreditation agencies, such as Joint Commission of Healthcare Organization (JCAHO), to conduct background checks for security purposes on individuals who provide services within the facility and especially those who supervise care and render treatment. To facilitate this requirement, educational institutions have agreed to require these background checks for students and faculty.

III. Clinical experiences are an essential element in certain professional programs. Students who cannot participate in clinical experiences due to criminal or other adverse activities that are revealed in a
background check are 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 Department of Nursing/UND, the student or applicant.

IV. The Department of Nursing is obligated to meet the contractual requirements contained in affiliation agreements with the various community facilities.

V. The North Dakota State Board of Higher Education requires student criminal history background checks and requires each institution to adopt policy and procedures for implementation for admission decisions.

D. Background Check Report

I. Obtaining a Background Check Report. The Department of Nursing will designate an approved vendor to conduct the background checks and issue reports directly to Nursing. Results from a vendor other than that designated will not be accepted. Students must complete the background check through the approved vendor in order to assure consistency of collected data. The student is responsible for payment of any fees incurred in obtaining the required background check. If a clinical agency requires an additional background check, students are responsible for any cost involved.

II. Scope. Background checks will include such things as the following: Social Security Report (address locator)

- County Criminal Record History (unlimited jurisdictions)
- National Sex Offender Public Registry Search
- National Criminal Database Search, includes but not limited to:
  - Multiple AOC/DOC/DPS criminal data sources
  - Federal Bureau of Investigation Terrorist List
  - Federal/State/Local Wanted Fugitive Lists
  - Sexual/Violent Offender Registries
- FACIS® Level 1 includes, but not limited to:
  - (OIG) Office of Inspector General List of Excluded Individuals
  - (GSA) General Services Admin. Excluded Parties Listing
  - (OFAC) Office of Foreign Assets Control SDN Search
  - (ORA/FDA) Office of Regulatory Affairs/Food & Drug Administration Debarment List
  - (ORI) Office of Research Integrity Administration Action List

III. Rights. Students and applicants have the right to review the information reported by the designated vendor for accuracy and completeness and to request that the designated vendor verify that the background information provided is correct. Prior to making a final determination that will adversely affect the applicant or student; the Department of Nursing will inform them of their rights and how to contact the designated company to challenge the accuracy of the report. The process and timeline are delineated in Procedure 207a.