

UNIVERSITY RULE

11.04.99.M2 Criminal Background Checks on Students

Approved November 17, 2014

Next scheduled review: November 17, 2019

Rule statement

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

Official rule

1. RATIONALE

- 1.1. Safety and Well-Being of Patients. Healthcare 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 healthcare 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, particularly those who supervise care and render treatment to vulnerable populations. To facilitate this requirement, educational 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 could potentially be 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, a student, or an applicant.
- 1.4. Contractual Obligations. TAMHSC is obligated to meet the contractual requirements contained in affiliation agreements between the TAMHSC and various healthcare facilities.

- 1.5. Liability Issues. Given the current medical liability environment, institutions of higher learning and healthcare 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 healthcare 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. IMPLEMENTATION

Each TAMHSC college will develop internal policies, which must be published in the college's student handbook or on the college's website, to address criminal background checks on students. The internal policy, and any revisions to the policy, must be provided to the HSC Vice President for Academic Affairs. The internal policy must contain:

- 2.1. Scope of background checks
- 2.2. Process for conducting the background check and person responsible for payment
- 2.3. Frequency of checks
- 2.4. Confidentiality and recordkeeping procedures
- 2.5. Administrator and/or committee charged to review positive or remarkable findings
- 2.6. Process for administrative review and possible outcomes of the review
- 2.7. Students' right to review or appeal findings of the background check
- 2.8. Factors upon which decisions concerning positive findings will be made

3. REVISION

The rule for Criminal Background Checks on Students will be reviewed no less than every five years by the TAMHSC Executive Committee.

Related policies

Supplements [System policy 11.04](#)

Contact Office

TAMHSC Vice President for Academic Affairs