## Title: Background Check Policy

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<th>Purpose:</th>
<th>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 an applicant or student's suitability to function in such a setting is imperative to promote the highest level of integrity in health care services.</th>
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| Definitions: | **Applicant** – an individual who has applied and received an offer of admission to the Long School of Medicine  
**Student** – an individual currently enrolled at the Long School of Medicine or a visiting student from another medical school.  
**Family Educational Rights and Privacy Act (FERPA)** - a federal law that protects privacy interests of parents and students in their educational records. FERPA defines student as any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records.  
**LCME Element 10.3 Policies Regarding Student Selection/Progress And Their Dissemination** - The faculty of a medical school establish criteria for student selection and develop and implement effective policies and procedures regarding, and make decisions about, medical student application, selection, admission, assessment, promotion, graduation, and any disciplinary action. The medical school makes available to all interested parties its criteria, standards, policies, and procedures regarding these matters.  
**LCME Element 10.4 Characteristics of Accepted Applicants** - A medical school selects applicants for admission who possess the intelligence, integrity, and personal and emotional characteristics necessary for them to become competent physicians. |
| Policy: | This policy applies to applicants who have received an offer of admission to the Long School of Medicine (Long SOM), currently enrolled students in the Doctor of Medicine (M.D.) degree program, and visiting students enrolled in Long SOM courses.  
All applicants who receive an offer of admission must satisfactorily complete a background check review as a condition to matriculation in the Long SOM. An offer of admission will not be final until completion of a background check with results deemed as satisfactory. Admission may be denied or rescinded based on a review of the background check. Falsification of information, including omission of relevant information, which should have been reported through proper admissions procedures, may result in denial of admission to the educational program.  
The Long SOM shall inform applicants who have unfavorable findings in their background check report and are nonetheless permitted to enroll, that the school's decision is not a guarantee that every clinical facility will permit the student to participate in the educational program at its facility, nor that any state will accept the individual as a candidate for registration, permit, or licensure.  
All enrolled students must have a valid background check on file. A student may be asked at any time to complete a repeat background check. All expenses related to a background check |
are the student’s responsibility. Examples of when a repeat background check may be requested include, but are not limited to:

- an assigned clinical health care facility requires a background check as a condition of participating in educational experiences at an affiliated site,
- a student takes a leave of absence or has a break in enrollment, or
- there is sufficient information to suspect misconduct.

Falsification of information, including omission of relevant information, may result in dismissal from the medical education program.

A student who refuses to comply with a background check or does not pass the background check review may be dismissed from the medical education program.

Criminal activity that occurs while a student is enrolled at the university may result in disciplinary action, including dismissal, and will be addressed through the university's academic or disciplinary policies.

### Process: Obtaining a Background Check Report

1. All applicants must complete a required background check screening following an offer of admission, but prior to matriculation.

2. The school of medicine will designate approved companies to conduct background checks and issue reports directly to the Long SOM. In certain circumstances, the review body (e.g. Admissions Committee, Office for Undergraduate Medical Education) may accept results from a company other than those designated.

3. Applicants must contact a designated company and comply with its instructions in authorizing and obtaining a background check. Applicants are responsible for payment of any fees charged to provide the background check service.

4. Background checks must include the following and cover at least the past seven years:
   - Criminal history search, including convictions, deferred adjudications or judgments, and pending criminal charges involving felonies, Class A, Class B, and Class C violations
   - Social Security Number verification
   - Violent Sexual Offender and Predator Registry search
   - Office of the Inspector General (OIG) List of Excluded Individuals/Entities
   - General Services Administration (GSA) List of Parties Excluded from Federal Programs
   - U.S. Treasury Office of Foreign Assets Control (OFAC), List of Specially Designated Nationals (SDN)
   - Applicable State Exclusion List

### Review of Background Check Report Results

Applicants/Students have the right to review the information reported by the designated company for accuracy and completeness and to request that the designated company verify the background information provided is correct.
Prior to making a final determination that may adversely affect an applicant or student; the Long SOM will provide the individual a copy of or access to the background check report issued by the designated company. The individual may challenge the accuracy of the report under the rights afforded by the background check company agreement.

The Admissions Committee, or a subset thereof, will review an applicant’s initial background check report submitted at the time of admission to the Long SOM. If the report contains unfavorable findings, the committee may request that the applicant submit additional information relating to the unfavorable finding, such as a written explanation, court documents, and/or police reports. The committee will review all information available to it and determine appropriate action. Admissions decisions are final and may not be appealed.

If a current student is asked to complete a repeat background check, the associate dean for student affairs will review the results. If the report contains unfavorable findings, the findings will be presented to the Student Progression and Promotion Committee (SPPC), which may request that the student submit additional information relating to the finding, such as a written explanation, court documents, or police reports. The SPPC will review all information available to it and determine whether the student should be permitted to continue in the medical education program during the adjudication of findings. If the SPPC determines that dismissal from the program is warranted, a student may appeal that decision in accordance with the Long SOM’s Academic Grievance policy.

Committee Review Standards

Each committee should bear in mind both the safety interests of the patient and the workplace, as well as the educational interest of the applicant or student. In reviewing background checks and supplementary information, advice may be sought from university counsel, university police, or other appropriate advisors.

In reviewing background check reports and any additional information submitted, a committee may consider the following factors in making its determinations:

- the nature and seriousness of the offense or event, the circumstances surrounding the offense or event,
- the relationship between the duties to be performed as part of the educational program and the offense committed,
- the age of the person when the offense or event occurred,
- whether the offense or event was an isolated or repeated incident,
- the length of time that has passed since the offense or event,
- past employment and history of academic or disciplinary misconduct,
- evidence of successful rehabilitation, and
- accuracy of the information provided by the applicant or student in the application materials, disclosure forms, or other materials.

Confidentiality and Record Keeping

1. Applicants to the Long SOM may have the expectation that all application materials and communications are handled with respect and confidentiality. Background check reports and all application materials are securely maintained in the Office for Undergraduate Medical Education’s Office in accordance with the university’s record retention policy.
2. For enrolled students or students who have been in attendance at the Long SOM, background check reports and other submitted information are confidential and may only be reviewed by university officials and affiliated clinical facilities in accordance with the Family Educational Records and Privacy Act (FERPA).

Approval Body: Long School of Medicine, Office for Undergraduate Medical Education, Executive Leadership

CERTIFIED BY:

Policy Custodian(s)
Name: Judianne Kellaway, MD
Title: Associate Dean for Admissions & Outreach

Name: Joshua Hanson, MD
Title: Associate Dean for Student Affairs

ACCEPTED AND AGREED TO:

Responsible Officer
Name: Florence Eddins-Folensbee, MD
Title: Vice Dean for Undergraduate Medical Education

Responsible Executive
Name: Robert Hromas, MD, FACP
Title: Dean/Vice President for Medical Affairs, Long School of Medicine

References to regulations and/or other related policies:

- **LCME Elements:**
  - 10.3 Policies Regarding Student Selection/Progress and Their Dissemination
  - 10.4 Characteristics of Accepted Applicants

- **Other Relevant Policies/Guidelines/Procedures/Forms:**
  - UT Health San Antonio Handbook of Operating Procedures, Policy 4.4.1 Criminal Background Checks
  - UT Health San Antonio Handbook of Operating Procedures, Policy 2.2.3 Family Educational Rights and Privacy
  - UT Health San Antonio Catalog, Family Educational Rights and Privacy Acts (FERPA) Policy, Pertinent Information