



# University of Connecticut Health Center

**POLICY NUMBER: 2001-3**

**September 13, 2002**

## **POLICY: BACKGROUND & FEDERAL SANCTIONS CHECKS**

### **POLICY STATEMENT:**

UCHC conducts background investigations and federal sanctions checks on the following individuals or groups of personnel associated with the UCHC:

- All new employees, all vendors, contractors, or individuals who are permitted to see patients or to bill for services.
- On-going sanctions checks are conducted on current employees of UCHC.
- Correctional Managed Health Care employees, vendors, and contractors are screened according to Department of Correction standards, as outlined in the DOC recruitment and selection policy, which is summarized below.
- In addition to the above, applicants for police officer positions must meet and maintain the current requirements of the Police Officer Standards and Training Council.

### **Background Checks** include the following:

- Identity Verification
- Verification of information on resume (Previous employment, credentials)
  - Professional references
  - Professional State licensing boards
  - Professional certification boards and societies
- Criminal background per Public Safety
- Additional checks may be warranted dependent on position responsibilities (e.g., credit, driving, FBI, etc.)

### **Sanctions Checks** include the following:

- Verification by review of the government sanctions reports noted below:
  - 1) Health & Human Services/Office of Inspector General Cumulative Sanction Report (GSA)
  - 2) Office of Inspector General Monthly sanction report (OIG)
  - 3) National Practitioner's Data Bank (NPDB) (Medical Staff Services Office only)
  - 4) Food and Drug Administration (FDA)
  - 5) Office of Research Integrity (ORI)

The inquiries into the background of all persons associated with UCHC are intended to comply with federal and state law and are required as per the organization's Corporate Compliance Plan.

UCHC does not knowingly intend to employ or retain persons in positions of trust who have demonstrated a propensity to engage in illegal activities. If a person has been excluded from participation in a federally funded or state funded healthcare program or has been convicted, and

in certain cases\* arrested for a criminal offense, this policy, the nature of the situation, and the responsibility of the person will be considered in determining whether to employ or terminate employment/association with the individual. For individuals of the Medical Staff holding a medical staff appointment, such termination shall be in compliance with the Medical Staff By-laws.

Applicants unwilling to submit to a background check or sanctions check are not considered for employment or placement.

All individuals where information is discovered through the background and federal sanctions checks process shall have the right to review and defend any and all information obtained in the process.

All staff and volunteers of UCHC are obligated to notify their supervisor or Human Resources within five business days if they have been convicted and in certain cases\* arrested for a criminal offense or have been excluded/debarred from a federally funded healthcare program while in the employ of UCHC.

All staff covered by the Medical Staff Bylaws have an obligation to notify the Medical Staff Office within five business days if they are convicted and in certain cases\* arrested of a criminal offense or have been excluded/debarred from a federally funded healthcare program.

\* CMHC per DOC

## **PROCEDURE:**

### **I.) HIRING:**

#### **A. Hiring Departments and Department of Public Safety**

- For recruitment of positions where Human Resources is managing the recruitment process, Human Resources is responsible for initiating the proper request to Public Safety for background and federal sanctions checks.

All interviewed applicants are required to complete the Background Information Sheet, as well as the Authorization for Release of Information.

Only final applicants selected to fill positions are screened, not all applicants. Offers of employment or placement are made contingent upon clearance. HR also conducts verification of information provided on resume and licensure/credentials.

Public Safety forwards documentation of background and federal sanctions clearance status to Human Resources.

- For recruitment of positions (e.g., faculty, post doctoral fellows, graduate assistants) where the respective departments are managing the recruitment, the respective department is responsible for initiating the proper request to Public Safety for background and federal sanctions checks.

Final candidates are required to complete the Background Information Sheet as well as the Authorization for Release of Information.

Offers of employment or placement are made contingent upon clearance.

Public Safety forwards documentation of clearance status to the hiring department and Human Resources

- Applicants who indicate that they have been convicted of criminal offense(s) or sanction(s) will be requested to submit with their application any of the following information:
  - 1) Details about the conviction(s) or sanction(s) including the date, their present status, e.g., on parole, probation, work release or sentence completed, fully sanctioned, working under a Corporate Integrity Agreement.
  - 2) Any documentation to explain special circumstances or rehabilitation.
- Speeding, driving under the influence, or motor vehicle offenses, which are not criminal offenses, would not result in rejection of an applicant unless the totality of applicant's driving history creates excessive risk and the use of an automobile is required in the discharge of job responsibilities. This would be a rejection based upon driving history, not criminal history.
- **Correctional Managed Health Care** applicants for employment, contractors, or vendors who meet any of the following criteria will fail to meet DOC hiring standards as specified in the DOC RECRUITMENT AND SELECTION POLICY:
  - 1) Failure to disclose criminal history (conviction of crime).
  - 2) Misdemeanor conviction, not resulting in jail time, not eligible for two years from the last date of conviction, probation or other sanction.
  - 3) Misdemeanor resulting in jail time, not eligible for three years from last date of incarceration or probation whichever comes later.
  - 4) Multiple misdemeanor convictions, not eligible for five years from the date of the last disposition of the misdemeanor, or complete satisfaction of sanctions, whichever is later.
  - 5) Multiple misdemeanor incarcerations, not eligible for seven years from the date of the last disposition or complete satisfaction of sanctions, whichever is later.
  - 6) Felony conviction, applicant not considered eligible, ever.
  - 7) An applicant who has any criminal history that might impair or disable the functions of the job will not be considered. Examples: Bribe-receiving, history of violence, drug abuse, sexual misconduct.
  - 8) Pending criminal cases or arrests.

- B. For positions which require credentialing through the Medical Staff Office (MSO),** applicant screening is done by the MSO in accordance with this Compliance Program policy and the medical staff by-laws, upon receipt of the initial application. Screening consists of a sanctions review of the OIG and GAS sanctions websites and the National Practitioner Databank in addition to the credentialing process.
- C. Vendor and or Contractors** are processed and screened by the respective department within the Finance Division who:
- Initiates the proper request to Public Safety for background checks to activate the screening process.
  - Screens all vendors conducting business with UCHC prior to entering the vendors name in the Financial Reporting System (FRS), using the OIG and GSA websites. Vendors are also notified of their obligation to disclose any sanctions or convictions that would inhibit their eligibility to do business with UCHC. (*\*UCHC Public Safety does criminal history check on all contractor/vendor employees performing work at the UCHC without supervision by UCHC staff, does not include periodic callers such as UPS, Fed-X, etc.*)

A confidential list of vendors whose services have been terminated due to sanctions will be on file in the Purchasing Department.

## **II.) REVIEW PROCESS UPON DISCOVERY OF INFORMATION:**

A review process is followed by the Public Safety Department to review all material submitted by applicants who acknowledge either convictions for criminal offenses or sanctions. Results of the background and sanctions checks are reviewed for applicability to individual potential employment situations and responsibilities. Consultation with the Office of Attorney General, Associate Vice President Human Resources, Director of Research Compliance, UCHC Corporate Compliance Officer or other appropriate administrative authorities may be necessary to make decisions regarding an individual's employment at UCHC.

- A. In evaluating applicants with criminal convictions,** the following factors will be considered as required by Conn. General Statutes 46a79 and 46a80:
- The nature of the offense(s) and its relationship to the position sought.
  - The degree to which the applicant has demonstrated rehabilitation.
  - The length of time elapsed since conviction.
- B. In evaluating applicants who acknowledge being sanctioned,** the following factors are considered as required by sections 1128 and 1128A of the Social Security Act, Federal Acquisition Regulation (FAR) 9.4, Federal Property Management Regulation (FPMR) 101-45.6, Government Printing Office (GPO) Instruction 110.11A, or U.S. Postal Service (PS) Publication 41 or Executive Order 12549:
- Applicants are not considered for hire if they are on the OIG or GSA sanctions lists.
  - With respect to the research related sanctions lists, it will be necessary for the hiring party to re-evaluate whether the applicant can still be offered a position. This will be done within the structure of the review process.

The Public Safety Department will maintain a confidential file of all persons who have been not hired and/or separated as a result of background or sanction issues.

**III.) ONGOING FEDERAL SANCTIONS CHECKS**

A) The Human Resources Department is responsible for semi-annual screening of sanctions on the OIG website for all employees except those screened by the Medical Staff Services Office. Upon determining that an employee appears on the OIG sanctions list, a review will be performed by appropriate authorities and appropriate action taken in accordance with Health Center procedures.

B) The Medical Staff Office is responsible for screening sanctions for all medical staff and credentialed staff on a monthly basis using the OIG sanctions listing. All other sanctions are reviewed at the time of reappointment. This information will be maintained in the practitioner's peer review file.

**IV.) COMMUNICATION WITH THE UCHC OFFICE OF CORPORATE COMPLIANCE**

Annually, each department forwards to the UCHC Chief Compliance Officer a list of all individuals/entities excluded or terminated due to sanctions and/or criminal convictions.

**V.) CROSS REFERENCE:**

CT. General Statutes Sec. 46a79 and 46a80

Screening Process for Department of Corrections Involved Staff, Vendors, Contractors; UCHC Public Safety Division Policy

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<b>Associate Vice President for Human Resources</b>	<b>Date</b>
Peter Deckers, M.D. (signed)	9/30/02
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<b>Executive Vice President for Health Affairs</b>	<b>Date</b>

**Replaces: #2001-03 dated 10/18/01**