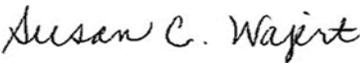


<b>SUPERSEDES:</b> June 14, 2016	<b>SECTION:</b> Academic and Student Affairs
<b>POLICY AND PROCEDURE MANUAL MERCY COLLEGE OF OHIO, TOLEDO, OHIO</b>    <hr/> Signature: Dr. Susan Wajert, President	<b>CODE NO.:</b> 530
	<b>SUBJECT:</b> Criminal Background Check and Drug Screen Policy
	<b>DATE ORIGINATED:</b> 06/03/2016
	<b>DATE COMMITTEE BOARD APPROVED:</b> 05/22/2018
	<b>DATE BOARD APPROVED:</b> 06/12/2018
	<b>DATE OF NEXT REVIEW:</b> 2020 September 1-30

## Criminal Background Check and Drug Screen Policy

### PURPOSE:

Mercy College of Ohio (“the College”) is committed to the health, safety, and well-being of all patients cared for by its students, as well as the health, safety, and well-being of the students who participate in its programs and represent the College in clinical agencies. On January 1, 2004, the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) updated regulations for hospitals, home health agencies, clinics, and other healthcare providers to gain or maintain accreditation status. One of the regulations requires all persons working at the facility – including employees, volunteers, and students – to have a criminal background check. Other evaluations such as drug screens are often required.

### SCOPE:

This policy applies to all College students who participate in clinical/practicum/field experiences.

### POLICY:

To meet JCAHO requirements, the College requires all students entering a program which includes a clinical component, practicum, or field experience (hereinafter referred to as “health program”) to undergo a criminal background check/fingerprint screen (hereinafter referred to as “background check”) and drug screen. The results of a background check and drug screen can impact a student’s ability to participate in clinical rotations, and become licensed, credentialed or employed in a particular state.

It is the responsibility of all students to conduct themselves in a manner consistent with College requirements for maintaining an environment free from threat to person, property, efficiency or reputation because of illegal use, sale, transfer, or possession of alcohol or dangerous drugs as defined by Section 2925.01 of the Ohio Revised Code and United States Code 21, Section 811 and 844. Students must also abide by the College’s *Drug and Alcohol Abuse/Prevention Policy*.

### **I. Required Background Checks and Drug Screens**

All students who have been accepted into a designated health program at the College are required to successfully complete the background check and drug screen through the vendor designated by the Office of Compliance and Risk Management. Previously conducted criminal background checks and/or drug screens are not acceptable for purposes of this policy. The health

programs at the College also abide by the requirements of each specific clinical site, which periodically may require updated background checks and/or drug screens. Students may not be permitted to participate in their designated program if the criminal background check includes findings of the following: any felony or misdemeanor criminal convictions, charges, or arrests (not including minor traffic violations).

### **New Students**

Students are responsible for the costs and activities associated with meeting the clinical requirements and completing the criminal background check and drug screen process. Students retain access to their account information after graduating from the health program.

### **Students Who Have Failed a Course**

Students who have failed a course will not be required to create a new Vendor account *if*:

- They have been continuously enrolled at the College (an official Leave of Absence is not considered continuous enrollment);  
*and*
- The other health requirements of the program are met.

*However,*

- Students may be required by the clinical agency to complete updated background check/fingerprints, drug screen and/or physical.

### **Students Returning After an Absence of Less than One Year**

Students re-entering a health program after an absence of less than one year will not be required to create a new Vendor account *if*:

- They have been continuously enrolled at the College (an official Leave of Absence is not considered continuous enrollment);
- Original background check/fingerprints, drug screen and physical were all completed less than one year earlier;  
*and*
- The other health requirements of the program are met.

### **Students Who Have Been Absent from the Clinical Program for a Year or More**

Students who have been absent from the clinical portion of the health program longer than a year are required to create a new Vendor account to meet all current requirements, including new background check/fingerprinting, drug screen, and physical.

### **Students Who Withdraw and/or Change Programs**

Students who begin a health program and subsequently withdraw may be allowed to transfer their Vendor account upon acceptance into the new health program *if*:

- Original background check/fingerprints, drug screen and physical were all completed less than one year earlier;
- The other health requirements of the new program are met; and

- Approval is given by the Dean.

## **II. Drug Screens**

It is the policy of the College to prohibit the purchase, possession, use or abuse, sale, distribution, or manufacture of any controlled substance on campus, on any College property, or on the premises of his/her clinical assignment. Students are responsible for complying with the College's *Drug and Alcohol Abuse/Prevention Policy*; failure to comply with the policy may result in immediate dismissal.

The College recognizes chemical dependency as a major health problem and as a health, safety, and security concern. As part of a prevention program, all incoming students are required to participate in substance abuse training during orientation and again annually in an online training module.

### **Readmission after Dismissal due to a Positive Drug Screen**

If a student is dismissed from the College after a positive drug screen, the student may apply for readmission to the College according to the readmission guidelines outlined in the College Catalog. If readmitted, the student must agree to random drug testing. Individuals who wish to be readmitted to the College must comply with all program changes and catalog revisions at the time readmission is requested. An additional positive drug screen will result in dismissal from the College with no opportunity for readmission.

## **III. Additional Required Background Checks and Drug Screens**

In most circumstances, criminal background checks and drug screens are only performed after a student has been accepted into a health program (or is ready to begin the clinical/practicum/field experience portion of their program). However, some agencies require current results from the student prior to clinical placement at that site.

The cost of any additional testing or updated criminal background checks is the responsibility of the student and must be coordinated through the contracted Vendor.

### **Reasonable Suspicion**

Students who are performing in an unsafe manner, and/or whose behaviors are suspect, may be subject to an assessment by a healthcare provider and may be asked to submit to an immediate screening. For purposes of this policy an assessment may include, but is not limited to, a drug/alcohol screen, medical or mental assessment, and/or rehabilitation. Action and/or pattern of behaviors that may warrant an assessment include, but are not limited to, the following:

- Sudden changes in work performance;
- Violation of safety policies;
- Repeatedly not following work direction;
- Disorientation;
- Personality changes;
- Behavior problems;

- Drowsiness;
- Slurred speech;
- Glassy or bloodshot eyes;
- Suspicious odors;
- Frequent absences;
- Incoherent communication or inexplicable behavior;
- Possession of drugs or drug paraphernalia;
- Observation of drug use;
- A report of drug use provided by a reliable and credible source; or
- A self-report of a drug-related arrest, charge, or conviction.

#### **IV. Student Duty to Self-Report**

Students are asked on their application for admission to indicate whether they have been convicted of child or dependent adult abuse; whether they have been convicted of a crime in this state or any other; whether they are currently incarcerated; or if they have been excluded from or served with notice of exclusion from any governmental programs, *i.e.* Medicare, Medicaid, financial aid, student loan default. Students are then asked to explain any “yes” answers.

Students are informed during the admission process that a past felony or misdemeanor may disqualify them from entering a clinical setting, testing for licensure, or being hired by potential employers in a healthcare profession. It is the responsibility of the student to check with the program administrator, the licensing/credentialing organization and/or state prior to application into the program of study.

Failure to disclose or provide material misrepresentation of information about an arrest, charge, or pending charges may result in disciplinary action up to and including dismissal from the College.

Students currently enrolled in a health program at the College have an ongoing duty to report any arrests, charges, or convictions that occur after they are enrolled in their health program. The student must notify the program administrator of the healthcare program in which he/she is enrolled as soon as is reasonably possible - and no later than five (5) calendar days (in accordance with the *Drug and Alcohol Abuse/Prevention Policy*) - after the incident occurs.

#### **V. Placement at Clinical Agencies**

Acceptance into a health program at the College despite negative information on a background check does not guarantee placement at a clinical agency for a clinical experience. For a student already placed at a clinical site, self-reporting subsequent criminal history may result in the clinical agency prohibiting the student from continuing in the clinical experience. If a student is unable to participate in a clinical experience as required for a program of study, he/she will not be able to progress and will be dismissed from the academic program in which he/she is enrolled.

When a student who has negative information on a criminal background check self-reports subsequent criminal history and attempts to be placed at a specific clinical site or wishes to continue at his/her current site, the appropriate personnel at the clinical site evaluate the information and surrounding circumstances. Clinical site personnel have sole discretion to determine whether the student can participate in a clinical experience at their site or continue with the current placement. The College makes no final decisions regarding student acceptability for a clinical placement site or the ability of the student to continue with a current placement based on the results of a criminal background check or in a self-report of new criminal activity other than minor traffic violations.

College faculty and staff will not provide advice on a student's ability to obtain licensure, credentialing or employment notwithstanding an adverse criminal background check, and students should not rely on any general information provided by College personnel in that regard. It is the responsibility of students to check with the licensing/credentialing board and/or state in which they want to practice to determine if they are able to sit for exams; however, some states may not advise about the inability of students to sit for exams until the students are prepared to do so.

#### **VI. Sharing Results of Criminal Background Checks and Drug Screens**

Results of background checks and drug screens are shared with the student and appropriate College personnel. Program administrators or designees are responsible for monitoring students' accounts. Findings may require further action, and students will be notified of such by the program administrator and/or the Vendor. Students are responsible for monitoring their account for such notifications.

In order to share results of background checks and drugs screens with clinical agencies, students must sign 530-A *Student Consent*. Without confirmation that a background check and drug screen were obtained and results are acceptable to that clinical agency, placement in a clinical setting is unlikely. Non-placement will result in dismissal from the academic program.

#### **Confidentiality**

Results of a student's criminal background check(s) and drug screen(s) are not kept as part of the student's educational file. The results are protected on the Vendor's website and are accessible only by the student, the Vendor, and authorized personnel as long as the College is contracted with the Vendor. Students have access to their online records with the Vendor while they are enrolled and post-graduation, even if the College is no longer contracted with the Vendor. All materials collected from the students regarding review of criminal background checks or drug screen investigations will be secured in a locked file in the Office of the Clinical Compliance Coordinator.

#### **REFERENCING FORMS:**

530-A Student Consent

530-B Student Acknowledgment

530-C Student Disclosure  
530-D Criminal Background Findings  
530-E Drug Screen Findings  
530-F Student Waiver – Criminal Background/Drug Screen

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Board Approved: 06/12/2018

Board Committee Approved: 05/22/2018

Revised: January 2018 (*Separation of policy and procedure, removal of vendor name*)

Board Approved: 06/14/2016

Board Committee Approved: 06/08/2016 (Special Election)

Originated: 06/03/2016

## **PROCEDURE 530**

### **I. Required Background Checks and Drug Screens**

1. The Clinical Compliance Coordinator provides instructions for creating Vendor accounts and communicates the due date for each health program. Instructions for completing the background check and drug screen are provided by the Vendor. Students are responsible for setting up their online account, scheduling, and completing the background check and drug screen in a timely fashion, so results can be returned to the Vendor prior to the due date established by the health program. **Students will not be permitted to participate in their designated health program if they have not cleared the background check and drug screen and other clinical requirements by the health program's due date**, unless an extension is granted by the program administrator, i.e., in the instance of late admittance to the program.
2. Background check and drug screen results are returned directly to the student's account, where they are available to both the student and authorized College personnel.
3. Students aware of findings which may show up on the background check or drug screen should be prepared to discuss with his/her program administrator whether findings may impact participation in clinical rotation, licensing or credentialing.

### **Findings on Criminal Background Checks**

1. Students disputing background check results must contact the Vendor to initiate an investigation. Status of the dispute will be communicated to the Clinical Compliance Coordinator.
2. Findings on a student's background check or fingerprint results require the following actions:
  - a. If student has findings on the BCI&I (Ohio Bureau of Criminal Identification and Investigation) or the Background Check Summary Report:
    - i. Student may be asked to request additional official documents.
    - ii. Student may be asked to provide detailed, legibly written (or typed) explanation of the recorded information.
    - iii. Student must schedule a face-to-face meeting with the program administrator.
  - b. If student receives the FBI (Federal Bureau of Investigation) "May Not Meet" letter:
    - i. Additional instructions will be posted to student's account.

- ii. Student must request a copy of his/her RAP (Record of Arrests and Prosecutions) sheet.
  - iii. Student must upload the full RAP sheet report to his/her account.
  - iv. Student must prepare a detailed, legibly written (or typed) explanation of the recorded information.
  - v. Student must schedule a face-to-face meeting with the program administrator.
3. At the face-to-face meeting, the program administrator reviews the information to determine whether the findings will affect clinical placement or licensure/credentialing. The information will be reviewed and a final decision rendered based on the following:
  - Seriousness, circumstances, and frequency of the offense(s);
  - The relationship between the duties to be performed as part of the designated health program and the offense(s);
  - The length of time that has passed since the offense(s);
  - Evidence of successful rehabilitation; and
  - The accuracy of the information provided by the applicant.The program administrator:
  1. Reviews RAP sheet with the student, student's written explanation of the events, and any other documentation provided by the student, such as police reports, certified court records, and other information that is pertinent to the case.
  2. Program administrator and student complete and sign 530-D *Criminal Background Findings*.
    - i. If there are no issues that will affect the student's clinical placement, as determined by the program administrator and/or dean:
      1. Student signs 530-F *Student Waiver - Criminal Background/Drug Screen* to continue the clinical experience.
      2. Program administrator forwards the signed 530-F *Student Waiver*, completed 530-D *Criminal Background Findings*, student's RAP sheet, and student's detailed written explanation to the Clinical Compliance Coordinator.
      3. Clinical Compliance Coordinator secures all documents in a locked file.
      4. 530-F *Student Waiver - Criminal Background/Drug Screen* will be uploaded to the student's Vendor account.
    - ii. If the issue(s) would affect the student's clinical placement and/or constitute an automatic bar from licensure or credentialing:
      1. Program administrator and/or dean advises the student that he/she **WILL NOT** be allowed to continue with the clinical experience.

2. Program administrator and student complete and sign 530-D *Criminal Background Findings*.
3. Program administrator forwards the completed 530-D *Criminal Background Findings*, student's RAP sheet, student's detailed written explanation and any other documentation provided by the student to the Clinical Compliance Coordinator.
4. If the student wishes to dispute the decision of the program administrator and/or dean, the student must submit a request for appeal in writing to the VPAA within five (5) business days of the determination. A written decision will be provided to the student within five (5) days of the appeal submission. The decision of the VPAA is final and not subject to appeals.
5. If a student has signed a waiver to continue in the program but a finding is found from a subsequent report received after the waiver was signed:
  - a. Program administrator determines whether there is new information that affects the student's clinical placement.
  - b. If the new finding appears on the FBI/BCI results, the student must provide a full copy of the RAP sheet or other documentation as requested.
  - c. If new findings are the same as that which was previously discussed with the student:
    - i. Program administrator communicates this with the student.
    - ii. Program administrator sends an email to the Clinical Compliance Coordinator stating that the findings are the same and that no further action is required.
    - iii. Program administrator forwards RAP sheet and any other documentation to the Clinical Compliance Coordinator.
  - d. If the findings are different from the previously reviewed charges:
    - i. The process outlined previously in Findings on Criminal Background Checks should be repeated.

## II. Drug Screens

1. The Vendor conducts a 10-panel drug screen checking for amphetamine [methamphetamine], barbiturates, benzodiazepine, cocaine, marijuana, methadone, methaqualone, opiates [codeine, morphine], phencyclidine, and propoxyphene.
2. If drug screen results are returned as "dilute negative" or "dilute positive," the student will be told that he/she must order a new drug screen and provide another sample. Results of the second test are considered final. If student declines to take a required retest because of a dilute specimen, the action will be considered a "refusal to be tested" and treated the same as a confirmed and positive result.
3. The program administrator or designee monitors student accounts for drug screen finding alerts. If an alert is found:

- a. Program administrator contacts the Clinical Compliance Coordinator to confirm that the Clinical Compliance Coordinator is aware of the findings.
4. All positive test results are automatically sent to the Medical Review Officer (MRO) contracted by the Vendor for further confirmation testing. If the applicant tests positive for a drug for which there could be a legitimate prescription, the MRO contacts the student for that prescription and validates the information. If prescription information is validated, the MRO will update the test results to show a negative drug screen.
  - a. If prescription information cannot be validated, the drug test results will show a positive drug screen.
  - b. If the MRO is unable to reach the student, a notation will be made on the student's drug screen and notification will be sent to the Clinical Compliance Coordinator.
    - i. The Clinical Compliance Coordinator contacts the student and advises that the MRO must be provided with any additional prescription information immediately. If the drug screen results remain unchanged after seven days, the drug screen test results will be considered positive.
    - ii. If the results are changed to a negative drug screen, no additional action is required.
    - iii. If results are changed to a verified positive drug screen, the Clinical Compliance Coordinator:
      1. Notifies the program administrator.
      2. Program administrator notifies the student of the positive drug screen and sets up a meeting.
        - a. The drug screen results and the rules set forth by the specific program's accrediting or credentialing agency determine whether there are immediate consequences.
        - b. The student is informed he/she has the right to initiate a formal dispute of the findings (as outlined in the following section Disputing Drug Screen Finding).
        - c. Student signs 530-E *Drug Screen Findings*.
        - d. Program administrator consults with the dean, VPAA, and VPSA to determine additional steps for student.
        - e. If allowed to continue, 530-F *Student Waiver – Criminal Background/Drug Screen* must be signed.
          - i. Permission to continue in the health program does not guarantee participation in required clinical experiences or licensure in certain states.
          - ii. If the student is currently attending classes:
            1. Student will be suspended from participating in the clinical experience until the drug screen is fully reviewed by the program administrator, VPAA, and VPSA.

2. Student may be allowed to continue attending class instruction until the drug screen issue is resolved.
  - f. Disciplinary action according to the College's *Drug and Alcohol Abuse/Prevention Policy and Program* will be determined by the VPSA/Dean of Students.
3. All communication with the student must be documented, including what additional steps (random drug testing, etc.) are required for the student.
4. All documentation and completed forms must be sent to the Clinical Compliance Coordinator.

### **Disputing Drug Screen Findings**

Students wishing to dispute the drug screen results must initiate a formal dispute within five (5) business days of notification by the program administrator. Student must contact [clinicalcompliance@mercycollege.edu](mailto:clinicalcompliance@mercycollege.edu) to initiate a re-test of the original specimen. The drug screen re-test package code will be provided to the student by the Clinical Compliance Coordinator or by the Vendor. Cost of the new drug screen package is paid by the student. Vendor will coordinate testing of the same specimen sample at a different lab. If the result is overturned, the Vendor will refund the cost of the new drug screen package to the student.

### **III. Additional Required Background Checks and Drug Screens**

#### **Reasonable Suspicion**

If a faculty or staff member at the College feels that a “reasonable suspicion” drug/alcohol screen is required consistent with College policy, the faculty or staff member should:

- a. Contact the program administrator, Program Director, Dean and/or (in the event of occurrence at a clinical site) another medical healthcare professional to observe the student.
- b. Remove the student from the clinical or classroom setting.
- c. Advise the student there is concern for student and/or patient safety.
- d. Advise the student that he or she will be required to submit to a screening within 24 hours.
- e. Advise the student that he or she will not be allowed to attend clinicals until there is proof of a negative drug/alcohol screen (student will be given the opportunity to make up lost clinicals if the drug/alcohol screen report is negative).
- f. Advise the student they will be allowed to continue attending classroom instruction only until the drug/alcohol screen result has been received and reviewed for further action.

Student must provide results of alcohol or drug screen to the program administrator, who will then forward the results to the Clinical Compliance Coordinator, who will upload the documentation to the student's Vendor account.

Failure to participate in an assessment at the request of a College faculty or staff member will result in the assessment being considered a violation of the College's *Drug and Alcohol Abuse/Prevention Policy* and grounds for disciplinary action up to and including dismissal from the College.

If results are positive, the student will be immediately suspended from the College by his/her program administrator and subject to the policies and procedures outlined in the Student Code of Conduct. The student is encouraged to contact the Director of Counseling for an assessment appointment with possible referral to a drug and/or alcohol counseling program.

#### **IV. Sharing Results of Criminal Background Checks and Drug Screens**

1. Students are required to complete and sign 530-A *Student Consent* permitting the College to discuss results with clinical agencies. This is in accordance with the Family Educational Rights and Privacy Act (FERPA).
2. If a student refuses to provide this consent, the College will not be able to inform the clinical agency of results, which may prevent the student from participation in clinical experiences.

**I. Records to be Disclosed**

By executing this form, I hereby consent to the release of my criminal background check and drug screen results (and any additional criminal background checks/drug screens that may be required in the future) for the purpose indicated below, regardless of the information contained in it and its impact on my ability to be placed in a clinical setting.

**II. Purpose of Disclosure**

As a student of a health program which requires me to complete a field experience or practicum at a clinical agency, I must comply with the requirement to undergo a criminal background check and a drug screen and make it available to Mercy College of Ohio. These results will determine my eligibility to participate in the required field experience or practicum.

**III. Party or Class of Parties To Whom the Disclosure may be Made**

I authorize the College to release the results of my criminal background check and drug screen to any and all clinical agencies at which it is attempting to place me for the clinical component of my academic program.

I understand that each clinical agency being considered for my clinical placement has the ability to deny my participation in the clinical portion of my educational program based on my criminal history and drug screen results.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Name (printed)

\_\_\_\_\_  
Program

\_\_\_\_\_  
Student ID #

**THIS INFORMATION IS RELEASED SUBJECT TO THE CONFIDENTIALITY PROVISIONS OF FERPA AND OTHER APPROPRIATE STATE AND FEDERAL LAWS AND REGULATIONS, WHICH PROHIBIT ANY FURTHER DISCLOSURE OF PROTECTED INFORMATION WITHOUT THE SPECIFIC WRITTEN CONSENT OF THE PERSON TO WHOM IT PERTAINS, EXCEPT AS OTHERWISE PERMITTED BY THOSE LAWS/REGULATIONS.**

**Office: Academic Affairs  
Date: 5/16/18  
Copy to: Student's CastleBranch Account**

## 530-B Student Acknowledgment

The health programs at Mercy College of Ohio require you to complete **530-B Student Acknowledgment**. Please complete, sign and upload the document to your CastleBranch account.

While a criminal history is not an automatic barrier to final consideration for entry into one of the College's health programs, each student's circumstances will be considered on a case by case basis. Students are advised that the College relies on third parties, such as hospitals and other health facilities, to provide clinical education and that a criminal history can affect the College's ability to find placement for students. Mercy College of Ohio has no control over the decisions of third parties and the College makes no guarantee that it can place any student, with or without a criminal history. In addition to placement, certain criminal convictions may also have bearing on an individual's ability to obtain or maintain a professional license and/or employment, and applicants are advised to review these standards carefully. It is the responsibility of the student to check with the licensing/credentialing board and/or state in which they want to practice to determine if they are able to sit for exams; however, some states may not advise about the inability of students to sit for exams until the students are prepared to do so.

Candor about your criminal history is highly important: failure to disclose may result in disciplinary action up to and including dismissal from Mercy College of Ohio. You are required to notify your Program Administrator or Dean on an annual basis or more frequently, of any changes in your status within five days of the occurrence.

### Full Disclosure Requirement

You are required to disclose **anything** that may come up on a background check: convictions, pending criminal charges, probation/diversion, etc., **in writing**. Your answers must be truthful, accurate, and complete. You must complete this form to the best of your ability; if in doubt, disclose the charge.

1. I understand that I must submit to any required criminal background checks. I understand that information obtained from a criminal history check may result in a failure to be approved for required clinical assignments, and as such may result in my inability to progress through my degree program.
2. I understand that I must submit to any drug screens required by a clinical site that mandates such screens. I understand that information obtained from a drug screen may result in a failure to be approved for required clinical assignments, and as such may result in my inability to progress through my degree program.
3. I understand that Mercy College of Ohio reserves the authority to determine my eligibility to be admitted to the program and/or progress through the program.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Student Name (printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Program

\_\_\_\_\_  
Student ID#

**Office: Academic Affairs**

**Date: 5/16/18**

**Copy to: Student's CastleBranch Account**

The health programs at Mercy College of Ohio require you to complete **530-C Student Disclosure**. Please complete, sign and upload the document to your CastleBranch account.

**Students of the Mercy College of Ohio health programs are required to disclose any convictions, charges, and/or probation/diversion:**

1. **Student Name (print):** \_\_\_\_\_

2. **Maiden Name if Applicable (print):** \_\_\_\_\_

3. **Enter All Other Names Used (print):** \_\_\_\_\_

4. **Student ID:** \_\_\_\_\_

5. **Date of Birth:** \_\_\_\_\_

6. **Have you ever been convicted of any criminal offense?**

Yes  No

If the answer above is "yes," set forth the dates and details here (use additional sheet, if necessary):

7. **Are there any pending criminal charges that have been filed against you?**

Yes  No

If the answer above is "yes," set forth the dates and details here (use additional sheet, if necessary):

8. **Have you ever participated in a first offender, deferred adjudication, pretrial diversion, other probation program or arrangement where judgment or conviction has been withheld?**

Yes  No

If the answer above is "yes," set forth the dates and details here (use additional sheet, if necessary):

9. **Have you ever been terminated involuntarily (for cause) from any healthcare facility?**

Yes  No

If the answer above is "yes," please provide details here (use additional sheet, if necessary):

**I understand that providing false or misleading information regarding my criminal history, failing to disclose the requested information, or not successfully passing any required criminal history check may result in disciplinary action up to and including dismissal from the Mercy College of Ohio health programs.**

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

**Office: Academic Affairs**

**Date: 5/16/18**

**Copy to: Student's CastleBranch Account**

## 530-D Criminal Background Findings

(To be completed by Program Administrator and signed by both parties)

Date: \_\_\_\_\_

Student Name: \_\_\_\_\_

Student ID #: \_\_\_\_\_

Program Administrator: \_\_\_\_\_

Program: \_\_\_\_\_

**Program Administrator:** Give a brief description of findings (including year of offense) identified on the student's background check/BCI&I/FBI reports (use back of form if necessary):

After review of the background check findings, based on the credentialing and/or licensing agency guidelines for my program, and the requirements of the clinical agency in which the student is scheduled to be placed, I recommend:

### STUDENT MAY CONTINUE

- Findings are **NOT detrimental** to current placement in the clinical setting.

AND

- Student has been advised he/she may continue in the program and clinical assignment.  
 Student **MUST** sign **530-F Student Waiver – Criminal Background/Drug Screen**.

**OR**

### STUDENT MAY NOT CONTINUE

- Findings **ARE detrimental** to current placement in the clinical setting.

AND

- Student has been advised he/she **WILL NOT** be allowed to continue in the program and clinical assignment.  
 Student has been advised that if he/she wishes to dispute the decision, a request for appeal must be submitted to the VPAA within five (5) business days of notification by the program administrator. The decision of the VPAA is final and not subject to appeals.

### **Send to Clinical Compliance Coordinator:**

- Student's complete RAP sheet (**required for FBI findings**)  
 All other official documentation required for BCI&I findings and/or requested by Program Administrator  
 Student's detailed written explanation of findings (**required**)  
 Completed **530-D Criminal Background Findings**  
 Completed **530-F Student Waiver – Criminal Background/Drug Screen**, if allowed to continue

\_\_\_\_\_  
Program Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

**Office: Academic Affairs**

**Date: 5/16/18**

**Copy to: Clinical Compliance Coordinator**

# 530-E Drug Screen Findings



Date: \_\_\_\_\_

Student Name: \_\_\_\_\_

Student ID #: \_\_\_\_\_

Program Administrator: \_\_\_\_\_

Program: \_\_\_\_\_

Brief description of findings identified on the student's drug screen:

**If allowed to continue after a positive drug screen, additional action to be taken (i.e., random drug screening, etc.)**

**Students wishing to dispute the drug screen results must initiate a formal dispute within five (5) business days of notification by the Program Administrator.**

- Student must contact [clinicalcompliance@mercycollege.edu](mailto:clinicalcompliance@mercycollege.edu) and state that he/she is requesting a re-test.
- The Clinical Compliance Coordinator or the Vendor will provide the drug re-test package code to the student. **This does NOT initiate a new drug test; it is a re-test of the original specimen.**
- Cost of the re-test must be paid by the student when ordering the new drug test.
- Vendor will coordinate testing of the same specimen at a different lab.
- If the result is overturned, Vendor will refund the money to the student.

**Send to Clinical Compliance Coordinator:**

- Completed **530-E Drug Screen Findings**
- Completed **530-F Student Waiver – Criminal Background/Drug Screen**, if allowed to continue

\_\_\_\_\_  
Program Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

**Office: Academic Affairs**

**Date: 5/16/18**

**Copies to: Student's CastleBranch Account and Clinical Compliance Coordinator**

# 530-F Student Waiver – Criminal Background/Drug Screen



Mercy College of Ohio (“College”) has allowed me to:

Continue in a health program despite negative information on my **background check and/or drug screen** dated \_\_\_\_\_.  
(insert date report was completed)

**OR**

Continue in my health program despite my **self-report of a subsequent** [arrest/charge/conviction] that occurred on \_\_\_\_\_ and did not appear on my prior criminal background check  
(insert date report was completed)  
completed pursuant to College policy.

In light of the above, I acknowledge that:

1. The College and its employees have made no promises or guarantees about my ability to be placed at a clinical agency, clinical site, or practicum location which is required in order for me to successfully complete the clinical component of my program of study. Failure to complete the clinical component of my program of study would, in turn, mean a failure in the program.
2. The College and its employees have made no representations regarding my ability to obtain licensure/credentialing or employment post-graduation.
3. I have been advised by the College to contact the licensing board or credentialing agency in the state(s) in which I intend to be licensed or credentialed to inquire about the possibility of being denied the opportunity to sign for the exam(s). I have further been informed by the College that the licensing board or credentialing agency in the state(s) in which I intend to be licensed and/or credentialed may not advise about the possibility of being denied the opportunity to sit for the licensure or credentialing exam(s) until the point I am ready to sit for the exam. I understand this may mean I will not be able to sit for the exam due to my prior criminal history or failed drug screen or may be required to provide additional information for review.
4. I have been advised by the College to inquire with possible future employers as to any limitations there may be to employment opportunities in light of the criminal history noted above.
5. I have been given the opportunity to read this form. I have read the form and fully understand its contents.

**I HEREBY WAIVE ANY AND ALL LEGAL CLAIMS OF NEGLIGENCE AGAINST THE COLLEGE THAT MAY ARISE DUE TO MY INABILITY TO BE PLACED IN A CLINICAL SETTING, COMPLETE MY PROGRAM OF STUDY, BECOME LICENSED, AND/OR OBTAIN EMPLOYMENT RELATED TO MY PAST CRIMINAL HISTORY.**

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Name (printed)

\_\_\_\_\_  
Student ID#

\_\_\_\_\_  
Program

**Office: Academic Affairs**

**Date: 5/16/18**

**Copies to: Student’s CastleBranch Account and Clinical Compliance Coordinator**