

## STANDARD ADMINISTRATIVE PROCEDURE

### 11.99.99.M0.04 Criminal Background Checks on Students

*Approved November 17, 2014*

*Revised November 2, 2020*

*Next scheduled review: November 2, 2025*

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#### SAP Statement

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All accepted applicants or students enrolled in an educational program at Texas A&M Health<sup>1</sup> (TAMH) that includes, or may include, assignment to a clinical health care facility will be required to undergo a criminal background check.

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#### Official Procedure

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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

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<sup>1</sup> Texas A&M Health Science Center is also referred to as Texas A&M Health.

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 TAMH, a student, or an applicant.

- 1.4. Contractual Obligations. TAMH is obligated to meet the contractual requirements contained in affiliation agreements between TAMH 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 TAMH college will develop an internal process that is approved by the respective dean and the senior vice president and made visible through the TAMH website and student handbook."

The internal process 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

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### **Related Statutes, Policies**

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*Supplements* [\*System Policy 11.04\*](#)

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**Contact Office**

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TAMH Senior Vice President