

## Division of Physician Assistant Studies

### Criminal Background Check Policy

#### Policy

The West Virginia University Division of Physician Assistant Studies has an obligation to ensure that the public is protected from potential harm. Therefore, our physician assistant students will be evaluated for unfavorable legal actions. Below is the procedure to screen for adverse legal actions (especially felony convictions) for all matriculating students.

In addition, state laws may restrict or prohibit those with criminal backgrounds from obtaining professional license to practice following graduation. For example: WV law can deny licensure, place on probation, limit the practice of, suspend or revoke the license of any person that has demonstrated unprofessional conduct. Examples of unprofessional conduct include being convicted of a felony or crime involving moral turpitude that relates to his or her ability to practice as a Physician Assistant. The impact of a felony or misdemeanor can vary from state to state, thus students are encouraged to consult legal counsel for advice.

Therefore, students with criminal backgrounds may not be able to meet the academic standards of the physician assistant studies program, nor the criteria for professional licensure.

#### Procedure

1. All matriculating students will be required to obtain a Criminal Background Check (CBC) before beginning the physician assistant studies program. The CBC must be completed prior to the deadline specified in the offer of admission.
2. Certiphi will perform CBCs as a designated agent.
3. The School of Medicine has designated the depth of the background search to include criminal records at the federal, state, and local level in all counties of residence for the previous 7 years. Also included is a search of sanctions, disciplinary, and administrative actions taken by federal and state healthcare regulatory authorities including the FDA, NIH, OFAC and terrorist watch lists.
4. Clinical sites may require repeated or additional background checks prior to the start of a rotation. This information will be noted on the pre-rotation confirmation that is provided to the student. Students are responsible for reviewing this information and taking action in a timely manner. All costs related to CBCs are the responsibility of the student.
5. Each student will contact Certiphi via a secure internet site and place an order for his/her CBC. The student provides his/her name, current and previous addresses, and other identifying information and pays by credit card.

6. The Clinical Education Manager for Professional and Undergraduate Programs will have access to Certiphi inquiry results via secure website with a unique username and password.
7. The Clinical Education Manager will forward any positive CBC results to the Program Director of the Division of Physician Assistant Studies (PD).
8. In the case of CBC findings:
  - a. The PD will determine if further assessment and review is warranted.
  - b. The PD may meet with the student to discuss the results and the student's perspective on the circumstances. The conversation will be documented in writing on the CBC form.
  - c. If the student feels that a positive CBC finding is in error, the student will be directed to speak with Certiphi to determine if further investigation is needed. Errors may occur in instances of:
    - i. CBC was completed on a different person with the same name
    - ii. CBC was completed on a similarly named person
    - iii. CBC returned information that was supposed to be sealed or expunged
    - iv. If the information is in error, the CBC is repeated and Certiphi will update the CBC report online. If the positive result is truly an error, no further action is taken.
  - d. If deemed necessary, the PD will refer the case to the Vice Dean of Professional and Undergraduate Programs who will document a final decision regarding clinical education placement and progression in the physician assistant studies program.

Sites are provided with the date of the most recent background check for the student. If the clinical site requires more specific documentation, the student will be directed to provide a print-out of his/her results from the Certiphi website.

## **Applicable ARC-PA 5<sup>th</sup> Edition Standards**

A3.02 The program must define, publish, make readily available and consistently apply its policies and practices to all students.

Approved: September 2019

Reviewed: October 5, 2021

Next Review: October 2022