

## Policy: Background Check

<b>DEPARTMENT SPECIFIC: Only affects one department.</b>							
<b>Folder</b>	Medical Staff Services			<b>Sub-Folder (If Applicable)</b>	<b>Not Applicable</b>		
<b>Effective Date</b>	9/19/2006	<b>Approved</b> Approver/Date	<i>Medical Executive Committee 4/25/17</i>				
<b>Last Reviewed/ Revised Date</b>	3/2/2020	<b>OSHA Category (If Applicable)</b>	Not Applicable	<b>Standard (If Applicable)</b>	MO Revised Statute 630.170.1	<b>Number of pages</b>	<b>3</b>

### **PURPOSE:**

To provide Medical Staff Services at SoutheastHEALTH with guidance for performing criminal background checks for practitioners credentialed and privileged through the Medical Staff Process and those non-employed allied health practitioners authorized to practice through the administrative approval process.

### **GUIDELINES:**

Background checks will be performed as described below, in agreement with regulatory requirements:

- Criminal background checks will be performed for Medical Staff and Limited Health Practitioners – Advanced applicants by PreCheck; MHA Management Services Corporation (“MHA”) will perform criminal background screening for Limited Health Practitioner and Physician Paramedical Employee applicants. Criminal background checks will be performed for all initial applicants.
- At initial appointment, all licensed individuals will be enrolled in the National Practitioner Data Bank (NPBD) Proactive Disclosure System (PDS). Verification that no new reports exist will take place at each reappointment and with the addition of any new privileges.
- Missouri Department of Health and Senior Services Employee Disqualification List (EDL) will be checked with each initial application.
- Missouri Department of Mental Health (DMH Exclusions Registry) will be checked through MHA for each initial application for Physician Paramedical Employees and Limited Health Practitioners.
- Office of the Inspector General’s (OIG) Exclusion List will at a minimum be checked at initial application and at reappointment.
- Missouri Case Net will be queried for Medical Staff, Limited Health Practitioners and Physician Paramedical Employees at initial appointment and at reappointment.

- SoutheastHEALTH reserves the right to utilize additional background check services to supplement investigations described above.

SoutheastHEALTH reserves the right to conduct background investigations on practitioners credentialed through the Medical Staff process and those non-employed allied health professionals authorized to practice through the administrative approval process for the following purposes:

- investigation regarding a criminal offense
- investigation regarding sexual or other harassment
- any other reason deemed necessary by any Peer Review Committee (As included in the Definitions Section of the Medical Staff Guidelines).

The following individuals will be ineligible to apply for privileges or appointment. Processing activities will automatically cease upon discovery of the following information.

- individuals who refuse to authorize performance of a criminal background check
- individuals included in the EDL
- individuals included in the DMH Exclusions Registry
- individuals appearing on the OIG exclusion list
- individuals who have ever been convicted of a “disqualifying crime” as specified in Missouri Revised Statute 630.170.1.

The individual will be given an opportunity to provide additional documentation to clarify or contest adverse information contained in the investigative report. Should review of additional documentation result in a determination that an application will be accepted, processing will resume. Processing activities may cease upon discovery of information arising out of other circumstances in the discretion of the appropriate medical staff leaders or administrative representatives.

The following barrier crimes are generally recognized as being sufficient in and of themselves such that a record of conviction should in the overwhelming majority of cases preclude extending privileges to an individual.

- Homicide – murder, manslaughter, negligent homicide, vehicular manslaughter
- Violent crimes such as assault, robbery, aggravated assault, breaking and entering, battery
- Sexual crimes such as sexual assault, sexual misconduct with a minor, prostitution
- Drug-related crimes including drug trafficking, misuse of prescription privileges, possession with intent to distribute
- Domestic crimes – spousal abuse, child abuse, elder abuse, financial crimes including embezzlement and fraud

**PROCEDURE:** An investigative report authorization and release form and a summary of consumer rights will be included with each application for appointment, reappointment, or clinical privileges pertaining to the Medical Staff, the Limited Health Practitioner staff, or the Physician Paramedical Employee staff categories.

The previously-described background checks will be initiated upon receipt of the appropriately signed application and authorization for release of information. A criminal background check will be requested of the pertinent entity upon receipt of the appropriately signed investigative report authorization and release form. The application will not be considered completely verified until the background check results (including criminal background check) have been received.

Results will be evaluated by the applicable Medical Staff department chair and Credentials Committee prior to approval of privileges (including temporary privileges but excluding emergency or disaster privileges) or appointment. The report will be available for review by the Medical Executive Committee and Board of Directors and any other Peer Review Committee (As included in the Definitions Section of the Medical Staff Guidelines) to facilitate the decision-making process. In the case of Limited Health Practitioners and Physician Paramedical Employees, the VP/CMO or VP/CNO will conduct the review of background check information prior to providing an action to authorize or not authorize the LHP or PPE to practice at Southeast.

Medical Staff Services will make a copy of the background investigation report available to the applicant upon receipt of his or her written request. Copies will not be otherwise provided and information contained therein will not be otherwise disseminated without the specific written direction and consent of the applicant.

**REFERENCES:**

Feb. 2014. The Ideal Credentialing Standards: Best Practice Criteria and Protocol for Hospitals. National Association of Medical Staff Services. pp 4-5.

Federal Trade Commission Fair Credit Reporting Act (FCRA), 15 U.S. C. ~ 1681 et seq.  
<https://www.consumer.ftc.gov/sites/default/files/articles/pdf/pdf-0111-fair-credit-reporting-act.pdf> verified on March 23, 2017

MO Revised Statutes 630.170.1 accessed March 2, 2020

MO Department of Mental Health,  
<http://dmh.mo.gov/docs/diroffice/dors/disqualifyingcrimesnoteligibleforanexceptio.pdf>  
verified on March 23, 2017

**Attachments:** None