

UTHSCSA Graduate Medical Education Policies

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| Section 4 | Program Policies & Procedures | Effective: | February 2003 |
| | | Revised: | November 2003 April 2010 September 2011, October 2015 September 2021 March 2022 |
| Policy 4.2.2. | Criminal Background Checks for Resident Applicants | Responsibility: | Designated Institutional Official |

Criminal Background Checks for Resident Applicants

- Policy
- It is the policy of the University of Texas Health Science Center to require a Criminal Background Check (CBC) on applicants for graduate medical education (GME) positions sponsored by the University.

For the purposes of this policy, the term 'resident' is used to include fellows, as well as any trainee in any Type 2 or Type 3 non-ACGME GME program as defined in Policy 3.1.1.1.

The criminal background checks must be accomplished before a resident enrolls in a training program. The only exception is trainees (i.e., on J1, etc.) entering programs prior to receiving a Social Security Number.

Process: The Criminal Background Check is required prior to initial enrollment in a training program, whether full time, part time, or in a visiting capacity. The process must be repeated if a resident transfers from one program to another within the Health Science Center, and/or if a resident is hired into a faculty position.

- All applicants for GME positions will be required to complete and sign the **Authorization for Criminal Background Check Form** and undergo a criminal background check at the latest prior to being offered a position. An applicant who refuses to complete, sign, and submit the form will be removed from further consideration for the position.
- Residents who are to be granted a position – either within the NRMP or other match, or outside the match – must have the offered position explicitly contingent on a satisfactory CBC and must undergo the screening prior to entering the program.
- Findings on the CBC of previous criminal convictions, no contest pleas, deferred adjudication, or other judgements by the criminal justice system will be reviewed by the OGME/DIO in conjunction with the UT Health SA Legal Department and senior leadership to determine if the negative findings in the CBC preclude matriculation in a GME program.

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- a. The Program is notified of individuals who have a record identified through the criminal background check. The DIO in consultation with Program, make a decision on whether the individual may be ranked or remains eligible if plans are to select outside a match. If already a candidate accepted through the MATCH, please refer to HOP 4.4.1 - Criminal Background Checks.
4. Criminal Background Check information obtained by the Health Science Center may be used only for the purpose of evaluating applicants for employment and shall in no way be used to discriminate on the basis of race, color, national origin, religion, sex, handicap, or age.
5. In addition to the CBC, Resident Applicants have an ongoing responsibility to report, within five (5) business days, to their desired training program, any additional arrest(s), criminal complaint(s), information(s), indictment(s), no contest plea(s), guilty plea(s), and criminal convictions, excluding misdemeanor offenses punishable only by fine, such as a traffic ticket, levied, executed or occurring during their application period.
6. All records associated with the Criminal Background Check will be retained in accordance with the UTHSCSA Records Retention Schedule.
7. This policy does not automatically disqualify all individuals with conviction records.
8. Costs associated with the Background check will be borne by the Department in which the applicants' programs are located.