	Human Resource Policy Employment & Hiring Practices	No. HR.EHP.12¹
	Title: BACKGROUND SCREENING	Page: 1 of 6
		Effective Date: 03-19-15
		Retires Policy Dated: 05-10-13
		Previous Versions Dated: 12-19-11; 09-27-11; 12-01-10; 08-01-09; 01-01-09; 02-06-07; 02-23-06; 10-01-05; 04-01-04; 03-11-04; 03-26-03

I. SCOPE:

This policy applies to (1) Tenet Healthcare Corporation and its wholly-owned subsidiaries and affiliates (each, an “Affiliate”); (2) any other entity or organization in which Tenet Healthcare Corporation or an Affiliate owns a direct or indirect equity interest greater than 50%; and (3) any hospital or healthcare facility in which an Affiliate either manages or controls the day-to-day operations of the facility (each, a “Tenet Facility”) (collectively, “Tenet”).

II. PURPOSE:

The purpose of this policy is to ensure that all individuals offered or holding positions working with Tenet patients or assets are qualified and meet Tenet’s standards for placement in their respective positions and appropriate work environment.

III. POLICY:

Tenet’s success requires that the best people choose to work with us. Tenet requires background checks on the following individuals in order to verify their identity, qualifications, ability and character to work in a healthcare environment or with sensitive information:

Prospective employees (including employed physicians), contract workers, students, volunteers, temporary administrative staff and physicians entering into relocation agreements, and any other non-employed persons who have unescorted contact with patients, patient records, and/or personal property of Tenet Facility employees, patients, and guests. Physicians who are not employed by or entering into a relocation agreement with a Tenet Facility are screened through the medical staff credentialing process and are not subject to this policy.


For the purpose of this policy, the term “candidate” is used herein to refer to individuals in all of these categories. It can also apply to individuals who currently hold these positions, and they will be held to the same standards set forth in this policy.

For the purpose of this policy, the term “unescorted” is defined as any person who is not accompanied by a Tenet employee at all times while performing his or her duties.

IV. PROCEDURE:


A. All individuals named above shall, in addition to completing an employment application or information sheet, sign a Background Check and Credit Authorization and Disclosure Form in compliance with the Fair Credit Reporting

¹Prior to June 3, 2013, the policy number was HR-216.

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Act (FCRA). This is accomplished when the candidate completes the electronic signature on the consent agreement following completion of the online application. All others must complete a paper authorization form provided by the Human Resources Representative.


- B. After a conditional offer of employment or services has been extended or a relocation agreement has been approved for a candidate, or later during a period of employment or service, as appropriate, the Human Resources Representative shall request the appropriate background screening package from Tenet’s background screening provider.
- C. The background check shall include, but may not be limited to, the following:
 - 1. Social Security Number trace to verify the individual’s identity, aliases and determine a residential history.
 - 2. A 7-year criminal record search of the states and/or counties in applicable locations.
 - 3. Review credit history if applicable to the position.
 - 4. Review Motor Vehicle Record (MVR) if applicable to the position.
 - 5. Verify applicable professional licenses and education.
 - 6. Check the sexual offender registry in the county/state of residence.
 - 7. Verify the candidate’s eligibility to participate in federal programs by checking the exclusion lists which shall include the Office of Inspector General (OIG) List of Excluded Individuals/Entities, the General Services Administration (GSA) List of Parties Excluded from Federal Procurement and Non-procurement Programs and any applicable state healthcare exclusion lists (collectively, “OIG/GSA”).
 - 8. Any other element required by Tenet Facility to meet state law requirements
- D. Background checks may be conducted annually or as needed when there are regulatory requirements or changes in corporate policy that require revisions to background screening and result in additional screening (for example, annual MVR checks, or state requirements for specific areas of the Tenet Facility such as psychiatric wards). Background checks may also be conducted on current

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employees on an as needed basis. If during an audit there is no background on file, a basic background check must be performed.

- E. Candidates may not begin work until the background screening results have been received and reviewed by Human Resources. In certain circumstances, an employee may begin conditional employment pending the results of the educational history check, if all other areas of the background check have been completed. Approval from the Tenet Facility Human Resources Director is required.
- F. Background Screening Policies by Work Groups
 - 1. Students – A background check is required on all students over the age of 18 prior to a student’s first assignment at the Tenet Facility. The background check can be completed by the Tenet Facility or the school. If the school completes the background check, the minimum checks outlined in this policy must be met and a copy of the background check must be provided to the Tenet Facility. It is not necessary to perform a background check in those cases where students are simply observing and are accompanied at all times by a preceptor or supervisor who has successfully completed a Tenet background check. If a student assigned to the Tenet Facility for five days or less is accompanied at all times, and is not providing patient care, a background check is not required.
 - 2. Contract Workers – It is the policy of Tenet to conduct background checks on contract workers who will be assigned to a Tenet Facility and/or may come in contact with patients, patients’ belongings or patient information during the course of their service. The background check can be completed by the Tenet Facility or the contracting agency. If the contracting agency completes the background check, it must provide a copy of the background check to the Tenet Facility and all minimum required checks must be completed within the last 6 months. Regardless, the OIG/GSA check must occur prior to hire. The background check must be completed before the contract worker can begin work. If a contract worker is assigned to a Tenet Facility for five days or less and is accompanied at all times, a background check is not required.

Any contracts that currently include provision for attestation documents in lieu of background checks must be amended upon renewal to exclude attestations and enforce the background check requirement.


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3. Volunteers – Background checks must be completed on all volunteers over the age of 18 who may have unescorted access to patients, patients’ belongings or patient information, prior to their first day of work. Screening of all volunteers is the responsibility of each Tenet Facility.
4. Transferred Employees - An employee transferring from one Tenet Facility to another does not require a new background check unless:
 - a. The employee is being promoted from a non-management position to a Manager level or above and it has been more than 6 months since the employee’s last background check.
 - b. There is not a copy of the original background check in the employee’s file.
5. Rehired/Reinstated Employees – Background checks must be completed on all employees who are rehired and/or reinstated if the background check is older than 6 months and does not require any additional screening components. Regardless, the OIG/GSA check must occur prior to hire.

G. Background Screening Results

1. Process for Reviewing Negative Results - If the results of a background check reveal a criminal history which may disqualify a candidate from employment, he or she will be given an opportunity to provide additional information regarding the results and further individualized review will be undertaken. Additionally, The FCRA requires that prior to taking any adverse action based in whole or in part on the information obtained from a consumer reporting agency, the candidate must be presented with the information from the background report and provided a description of their rights under the FCRA.

Individualized Assessment of Criminal Background Results – If the results of a criminal background check on a candidate to whom a conditional offer of employment has been made reflect one or more convictions which would potentially disqualify him or her from employment, the Human Resources Representative will solicit additional information regarding these convictions from the candidate. If the candidate does not respond in the time provided, the inaction will be treated as an intent to withdraw the application for employment. If the candidate does supply any requested information, it will be considered as part of an individualized assessment of that particular candidate for the position offered. If after the individualized assessment, it is

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determined that the conditional offer should be rescinded, the steps below should be followed to comply with the FCRA.

- a. Pre-Adverse Action – Once the Human Resources Representative reviews the background check results and discovers derogatory information that could affect the hiring decision or other applicable decision, and any action required by (a) above has been taken the candidate must be notified and presented with the Pre-Adverse Action letter, a copy of the FCRA Summary of Rights and a copy of the background screen results. If a candidate disputes any material findings contained in the background screen, a findings review process shall be initiated. The candidate shall state the nature of the dispute in writing to Tenet approved vendor and provide any relevant documentation. Further investigation will be conducted and a response will be provided to the candidate within a reasonable period of time.
- b. Adverse Action – If the candidate does not dispute the information included in the report, or further investigation described above does not change the relevant results, and the Human Resources representative concludes that the candidate does not meet Tenet’s standards for hire or placement for services, the Human Resources representative must provide a copy of the Adverse Action letter to the candidate.

Tenet’s pre-employment investigation is considered proprietary information. The results should be provided to the candidate and the candidate should be given the opportunity to correct any errors contained in the report. Copies of the report should never be given to third parties such as hiring managers, family members, previous employers, or others who are not part of the hiring decision or other applicable decision.

2. Sharing Background Screening Results

Background check information that is less than six months old can be shared between Tenet Facilities only. Human Resources may request the background results if involved in the hiring decision or placement of the candidate.. Under no circumstances should background check results obtained by Tenet be shared with a non-Tenet Facility or individual.

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H. Auditing and Monitoring

Audit Services will audit adherence to this policy as part of its full scope audits.

I. Enforcement

All employees whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy will be subject to appropriate performance management pursuant to all applicable policies and procedures, up to and including termination. Such performance management may also include modification of compensation, including any merit or discretionary compensation awards, as allowed by applicable law.

V. REFERENCES:

- Copies of the Pre-Adverse Action letter, FCRA Summary of Rights, and the Adverse Action letter can be found on the corporate approved background screening eTenet website.
- Regulatory Compliance Policy COMP-RCC 4.22 Federal Program Eligibility Screening and Exclusion Disclosure
- Law Department Policy L-2 Physician Relocation
- Law Department Policy L-10 Physician Employment Arrangements