



<b>Policy Title:</b> HR-A 12.00 Reference, Verification, and Criminal Background Investigations		<b>Former Policy Number:</b>	
<b>Document Owner:</b> Adam Michelman		<b>Approver(s):</b> Adam Michelman	
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**APPLIES TO**

All Rush University Medical Center and Rush University (hereinafter, collectively referred to as “Rush”) employees.

**PURPOSE**

To enable Rush to recruit the best candidates and to enhance safety and security for employees, students, patients and visitors.

**POLICY**

Rush University Medical Center and Rush University (hereinafter collectively referred to as “Rush”) conducts appropriate background screening of all employees following a contingent offer and acceptance of employment. In some scenarios, a current employee may also need additional appropriate background screening. As a precautionary measure, all Rush employees must complete the background check process before attending New Employee Welcome (“NEW”) or beginning any work at Rush. Similarly, non-licensed employees transferring internally at Rush, may be required to complete additional background check processes, subject to the Illinois Department of Public Health guidelines or other applicable laws.

**GUIDELINES**

**12.01 Authorization and Disclosure Forms**

- a. **External Candidates.** After an offer of employment is extended, candidates must sign a release authorizing Rush to conduct background investigations as part of the pre-employment clearance process. As part of the background investigation, Rush may check criminal background, work experience, education, licensure/certification, Medicare sanctions and exclusions as recommended by the Office of the Inspector General (OIG), and other information as deemed appropriate for the position and based on the job description.
- b. **Internal Transfers.** Internal candidates transferring to direct patient care positions will be required to submit an additional background check authorization and disclosure form. Background checks will be performed by Rush as it deems appropriate to the individual, their role, and job description. For all other internal transfers, candidates may be required to submit to an additional background check on a case-by-case basis.
- c. **Current Employees.** Under certain circumstances, Rush may conduct background checks during the course of employment as it deems appropriate to the individual, their role, and job description. Refusal to authorize additional checks may result in



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termination of employment. Rush will also perform monthly Medicare sanctions and exclusions checks.

**Failure to Disclose.** Information obtained in a background check will be compared with information provided in the Rush Employment Application and the Criminal History Disclosure. Employees who provide false, incomplete, or misleading information on any hiring document, form, resume, or in an interview may be terminated or disciplined, depending on the circumstances.

Furthermore, Rush employees are required to notify their manager, and the AVP, Employee/Labor Relations or his/her designee, if they are convicted of any crime(s) (misdemeanor or felony) while employed at Rush. This disclosure requirement includes any and all convictions that occur after submission of the Criminal History Disclosure form. Rush employees who fail to disclose convictions within five (5) business days of the conviction may be subject to discipline up to and including termination of employment.

**12.02 REFERENCE CHECKS**

- a. Reference checks may be conducted to confirm previous employment, work history, and other relevant information as deemed necessary by Rush.
- b. Additional reference checks may be performed by Rush for employees being considered for promotions or transfers.

**12.03 CRIMINAL BACKGROUND CHECKS**

- a. Criminal background checks are conducted on all individuals in accordance with the Fair Credit Reporting Act and the Illinois Health Care Worker Background Check Act (HCWBCA). Employment at Rush is expressly conditioned upon the results of the criminal background check investigation. However, disclosure of arrests or sealed or expunged records of conviction are not required under Illinois law.
- b. The Illinois Department of Public Health (IDPH) requires an additional fingerprint-based background check for non-licensed patient care workers. In addition, IDPH maintains a list of certain convictions which would prohibit individuals from working in non-licensed patient care roles unless granted a waiver as provided in the Health Care Worker Background Check Act (HCWBCA). If a background check reveals that the individual has been convicted of a crime, he/she will be given information regarding the fingerprint-based background check and waiver process. If a waiver is required pursuant to the HCWBCA in order to be employed, Rush will not hold a position during the waiver request process. In cases of falsification, or omission, immediate termination of employment may result.



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- c. In order to evaluate the fitness and qualifications for employment, all convictions found in a criminal background check will be reviewed to determine whether the individual can remain in consideration for the position in accordance with applicable laws. This review is performed by Employee Relations or their designee. The HCWBCA requires waivers for certain convictions. Waivers must be submitted to Rush prior to the first day of work. Candidates who have obtained waivers are still subject to a review as described above. A waiver does not automatically exempt candidates or employees from the background check process.

#### 12.04 Credit History Check

In accordance with all applicable laws, under certain limited circumstances, Rush may conduct a credit history check when it is considered a bona fide occupational requirement of the position. If the need to conduct a review of credit history arises, employees will be notified of the requirement.

#### 12.05 Adverse Action

Prior to any adverse hiring action, Rush will adhere to the requirements set forth by the Fair Credit Reporting Act.

#### 12.06 Additional Guidelines

- a. Employees returning from leave (excluding FMLA, VESSA, and Military Leave) or rehired after 90 days must complete a criminal background check and sanctions check, before being cleared to return to work in accordance with HR-B 14.00 Leave of Absence policy.
- b. Any exceptions to this Policy must be approved by the AVP, Employee/Labor Relations.
- c. Rush reserves the right to determine the appropriate response to background checks based on the totality of the circumstances and to deviate from the Policy above at its discretion.

#### RELATED POLICIES

HR-A 03.00 Requisitions, Recruitment, Evaluation and Selection  
 HR-A 05.00 New Employee Welcome  
 HR-A 06.00 Health Screening and Immunity Requirements