Introduction
The allied health professions are committed to providing excellence in patient care and services in a safe, productive and quality conscious environment. As such, clinical and community agencies require students to meet standards, similar to employees, for criminal offenses and use of illegal substances.

Therefore, allied health students are required to be screened through the Florida Department of Law Enforcement (FDLE) or comparable checks from State(s) of prior residence. In addition, a completed PALM BEACH STATE COLLEGE health form must be submitted. The health record will contain results from the physical exam, laboratory tests. An independent drug screening is also required.

Criminal Offenses
Most Florida Professional Boards under the Florida Department of Health and national registries perform computerized background checks on all applicants to determine eligibility for licensure. This background check may include the record for all arrests, not merely convictions. Therefore, students will be held to the same standard(s) as set for employment in nursing homes in Florida Statutes 400.211. Judgments of guilty or pleas of nolo contendere to the following crimes will disqualify students from entering health programs:

- murder;
- manslaughter;
- vehicular homicide;
- killing of an unborn child by injury to the mother;
- assault, if battery;
- kidnapping; false imprisonment;
- sexual battery;
- prohibited acts of persons in familial or custodial authority;
- prostitution; lewd and lascivious behavior; lewdness and indecent exposure;
- arson; theft; robbery; and related crimes, if offense was felony;
- fraudulent sale of controlled substances, only if the offense is a felony;
- incest;
- abuse or neglect of a disabled adult or elderly person; exploitation of a disabled adult or elderly person;
- aggravated child abuse;
- child abuse;
- negligent treatment of children;
- procuring sexual performance by a child;
- sale, possession or use of obscene literature;
- violation of drug abuse prevention and control laws, only if offense was a felony or if any other person involved was a minor; has not been judicially determined to have committed abuse or neglect against a child as defined in Fla. Stat. 3901(2) and (47); does not have confirmed report of abuse, neglect, or exploitation as defined in Fla. Stat. 415.102 (6), or abuse or neglect as defined in Fla. Stat. 415.503(6), which has been uncontested or upheld under Fla. Stat. 415.1075 or Fla. Stat. 415.504; does not have a proposed confirmed report that remains un-served and is maintained in the central abuse registry and tracking system pursuant to Fla. Stat. 415.1065 (2)(c); and has not committed an act that constitutes domestic violence as defined in Fla. Stat. 741.128.
The background screenings will be completed at the student’s expense. All records will be sent directly to the Program Coordinator and will be kept in a confidential file. These files will not be part of the student’s college records. No faculty or staff will have access to the records without the written permission of the student. These records will become the property of the college when submitted and will not be available for copying or for use to meet the requirements of outside employers.

Any applicant whose FDLE screening shows evidence of substance abuse history may be required to be evaluated by the Intervention Project for Nurses (IPN) as a condition for entry into Nursing Programs. These students must provide documentation of compliance with IPN recommendations. Failure to do so could result in dismissal from the Practical or Registered Nursing Program.

The student is responsible for notifying the Health Sciences Program Administrator of any arrests, regardless of adjudication, that occur after beginning the program. Failure to promptly notify the program director shall be grounds for dismissal from the program. After acceptance into the program, the student must not be found guilty, regardless of adjudication, of an offense that would disqualify the student under the above stated standard(s). If this occurs, the student will be subject to dismissal from the program. (Fla. Stat. 400.211)

If a criminal offense listed above deems a student ineligible for admission to or continuation in a health occupations program, an appeal can be filed. The appeals process follows the college grievance process. The appeals committee will follow the industry standard for employment in the profession as the guide for considering the grievance (details available upon request).

IMPORTANT NOTICE: Effective July 1, 2009, section 456.0635, Florida Statutes, provides that healthcare boards or the department boards or the department shall refuse to issue a license, certificate or registration and shall refuse to admit a candidate for examination if the applicant has been:

1. Convicted or plead guilty or nolo contender to a felony violation of chapters 409, 817, or 893, Florida Statutes; or 21 U.S.C. ss. 801-970 of 42 U.S.C. ss. 1395-1396, unless the sentence and any probation or pleas ended more than 15 years prior to the application.

2. Terminated for cause from Florida Medicaid Program (unless the applicant has been in good standing for the most recent five years).

3. Terminated for cause by any other State Medicaid Program or the Medicare Program (unless the termination was at least 20 years prior to the date of the application and the applicant has been in good standing with the program for the most recent five years).

Drug Screening

A. After Selection prior to Acceptance and Admission
Area health care agencies and Palm Beach State College are drug free environments. Palm Beach State College has been asked by area health care affiliates to require a drug screening for students who will be placed in the area health agencies for clinical rotations. Therefore, students are required to obtain a ten-panel substance abuse drug screening at their own expense (cost varies $25-30). These results are essential for clinical rotations, and subsequent entrance into the program. Students with a positive test result will be given a reasonable opportunity to explain the confirmed test result and submit for retest. If the explanation is unacceptable and cannot be satisfactorily documented by the students’ physician, and the second test is positive, the student will not be considered for admission into the program.

Effective September 25, 2000
Updated April 15, 2010
The student may reapply and be considered for admission to a health occupations program after positive reference from a treatment team who has followed the student for two (2) years or current industry standard, and has dealt directly with the students’ chemical dependency problem.

B. While In Program
All students enrolled in the health occupations programs are required to be drug and/or alcohol free when reporting to the college and while at affiliating agencies (including parking lots and grounds.) For all affiliating agencies which require students to follow their drug testing policy, including, but not limited to, when there is reasonable suspicion to believe a student may be impaired, or is using, or has used illegal drugs and/or alcohol, the student may be tested in accordance with the affiliating agency’s policies.

If tested by an affiliating agency, the student shall provide his/her clinical faculty member with a copy of any test results. Failure to promptly do so shall be grounds for dismissal from the program. A positive drug or alcohol test shall be grounds for the student to withdraw from the program. Re-admission to the program can occur only after re-application that includes an advisement in writing by the professional counselor that the student is drug free and it is documented through testing. The student must continue to be monitored by the counseling service while completing the program or he/she will be dismissed from the program.
If a positive drug screening deems a student ineligible for admission to or continuation in a health occupations program, an appeal can be filed. The appeal process follows the college grievance process. The appeals committee will follow the industry standard for employment in the profession as the guide for considering the grievance (details available upon request).

Health Form
Students who do not meet the standards of good physical and mental health, as required by clinical facilities for safe patient care, may reapply and be considered for admission to or continuation in a health occupations program after resolution of the health problem. An updated health record, verified by a licensed physician or health care provider, must be submitted.

Effective September 25, 2000
Updated April 15, 2010
GUIDELINES FOR APPEAL RELATED TO CRIMINAL OFFENSES OTHER THAN FELONY

NOTE: To appeal a denial for admission to or continuation in a health occupations program because of a criminal offense(s) other than felony, a written request with the following documentation must be submitted. In considering an appeal, the college is limited in its decision by the industry standard requirement(s) of the clinical agency or profession and state law.

1. If you have been found guilty of, or pleaded guilty or no contest to any charge other than a minor traffic offense, you must submit arrest and court records of the final disposition of each offense listed with your completed appeal package.

2. Examples of offenses that will be listed on the Florida Department of Law Enforcement background check include writing bad checks, disorderly conduct, petit theft, DUI, welfare fraud, marijuana use, assault/battery, grand theft, use of controlled substances, abuse/neglect, lewd & lascivious behavior, and other offenses.

3. Effective July 1, 2009, applicants who fall within the criteria set forth in section 456.0635, Fla. Stat., shall be ineligible to appeal a denial of admission to or continuation in a College health occupation program.

4. Juvenile offenses (under age 18) are sometimes listed on the FDLE report. You are not required to report juvenile offenses.

5. If you are requesting the court to submit official records directly to the program administrator, the program must have received a letter indicating records are being sent separately from the court.

6. If you are submitting the court records with your appeal packet, each document page must have the court seal on it. (You are advised to keep a certified and true copy of the court records in your personal file.)

7. If the record has been sealed, you must submit the court order sealing the record. This is required because the charge may still appear on the FDLE check.

8. If official records are not available, you must submit a letter from the court and/or law enforcement agency on official letterhead with the court or agency seal on it stating that the record has been purged.

9. The College will inform you if an appearance is required before the appeals committee. Appearance is always required when court ordered probation is still in effect.

10. Three letters of recommendation are required. One letter should be from your current employer. Letters of recommendation should not be from family members but rather individuals who can endorse your role as a future health care provider.

11. If you have any questions, please contact Vicki Shaver at 561.207.5067

Effective September 25, 2000
Updated April 15, 2010
GUIDELINES FOR APPEAL RELATED TO POSITIVE DRUG SCREENING

To appeal a denial for admission to or continuation in a health occupations program because of a positive drug screening the following documentation must be submitted.

1. A letter stating the situation, why you feel the actions of Palm Beach State College are incorrect and what you desire as a result of the appeals process.

2. Three letters of recommendation are required. One letter should be from your current employer. Letters of recommendation should not be from family members but rather individuals who can endorse your role as a future health care provider.

3. The college will inform you if an appearance is required before the appeals committee.

4. If you have any questions, please contact the Program Coordinator/Specialist for an appointment (561) 207-5067.

Effective September 25, 2000
Updated April 15, 2010
CRIMINAL BACKGROUND & DRUG SCREENING
APPEALS COMMITTEE

Appeals Committee Members: one Associate Dean, one Department Chair, two Business Partnership Council Members (optional).

1. The Associate Dean sets up the meeting within two (2) weeks of receipt of the appeal.
2. The Appeals Committee meets (with the student, if necessary) to discuss the appeal.
3. The Appeals Committee reviews all materials. The Committee’s decision is final.
4. The Associate Dean notifies the student of the Committee's findings via letter within one (1) week of the appeals committee meeting.

Effective September 25, 2000
Updated April 15, 2010
PROCEDURE FOR COMPLETING
CRIMINAL BACKGROUND, DRUG SCREENING & HEALTH RECORD

Criminal Background Assessment

1. Complete the Palm Beach State College Acknowledgment and Consent for Release of Information form and return it directly to your program director.

2. Complete the authorization form for criminal background screenings and deliver to NMS Management Services for processing.

Drug Screening

1. Complete the drug screening process. Results should be sent directly to the College at the following address:

   Palm Beach State College
   Attention:
   Dr. Vicki Shaver
   3160 PGA Blvd
   Palm Beach Gardens, FL 33410

Health Record

1. Using the PALM BEACH STATE COLLEGE Medical Record form, obtain a record of a current physical exam. This must include a record of immunizations and recent required screening tests.

Note: If the FDLE, Drug Screening or Health Record Assessment is submitted with violations, indications of substance abuse or medical issues, the student may be prevented from acceptance into the program.

Effective September 25, 2000
Updated April 15, 2010