

## **Administration Manual (Cross ref to TS Manual)**

Page 1 Call-out Qualified (CQ) Member

Add B.7

### **A. Requirement**

All applicants must provide the ASRC or the Group Training Officer with a satisfactory Criminal History Background Check Statement (CHBCS). This statement is to have been completed within 60 days before the date of receipt by the ASRC or Group. If the applicant has, within the preceding six months changed the place of residence and in so doing moved across a state boundary, then a CHBCS from the applicant's previous state of residence is required.

### **B. Submissions to the State Police**

Every applicant, without exception and regardless of State of residence must obtain a CHBCS from the Commonwealth of Virginia. This is a legal requirement of the licensing arrangement for the ASRC and is a free service.

In addition, if a member or applicant is resident outside the Commonwealth of Virginia, a CHBCS is required from the appropriate State Police.

Each state has different means of application ranging from an electronic submission in Pennsylvania to a fingerprint submission required in West Virginia. The ASRC web page advises on the different approaches for each state.

### **C. Cost**

The applicant is responsible for meeting any costs for the provision of a CHBCS. It should be noted that for applicants in Virginia special arrangements have been made such that the Commonwealth of Virginia carries the cost. (See ASRC web page).

### **D. Confidentiality**

The data contained on a completed CHBCS will be treated in the utmost confidence. Once read by the ASRC Secretary or the Group Training Officer, they will do the following:

- a) If the report has no adverse comments, the appropriate group chair or GTO will be informed as quickly as possible. An annotation that a report has been received will be made within the ASRC or Group records. The CHBCS will be destroyed.

- b) If the report has adverse comments, the appropriate group chair or training officer will be informed that there might be a potential problem but no details will be given and the report will be forwarded on to the applicant without comment. It will be the applicant's responsibility to take the matter further with the state police, if so desired.

## **E. Search ability**

CQ's who have submitted a request for a Criminal History Background Check are permitted to go on a search. Those who have not submitted a request are not. Therefore it is imperative that the Secretary of the ASRC be informed by email that a request has been submitted. If a negative report is received by the ASRC or the GTO the applicant is no longer eligible to be a member of the ASRC unless a new report is obtained with no negative elements.

## **F. Liability**

The ASRC or Group take no responsibility for the contents of a completed CHBCS and whereas the ASRC or Group will take all reasonable means to keep the data therein confidential, the ASRC or Group cannot be held liable for any unforeseen consequences. It is noted however that the unauthorized release of such data could lead to a criminal prosecution.

## **G. Requirements**

The ASRC requires that all applicants meet the following criteria:

- A. Has never been convicted or found guilty of any crime involving sexual misconduct where the lack of affirmative consent by the victim is an element of the crime, such as forcible rape.
- B. Has never been convicted of a felony involving the sexual or physical abuse of children, the elderly or the infirm, such as sexual misconduct with a child, making or distributing child pornography or using a child in a sexual display, incest involving a child, assault on an elderly or infirm person.
- C. Has never been convicted or found guilty of any crime (including abuse, neglect, theft from, or financial exploitation) of a person entrusted to his or her care or protection in which the victim is a patient or is a resident of a health care facility.
- D. Has never been convicted or found guilty of any crime involving the use, possession, or distribution of illegal drugs except that the person is eligible for affiliation five years after the date of final release if no additional crimes of this type have been committed during that time.

E. Has never been convicted or found guilty of any other act that is a felony except that the felon is eligible for affiliation five years after the date of final release if no additional felonies have been committed during that time.

F. Is not currently under any disciplinary or enforcement action from a state EMS office or other recognized state or national healthcare provider licensing or certifying body. Personnel subject to these disciplinary or enforcement actions may be eligible for membership provided there have been no further disciplinary or enforcement actions for five years prior to application.

G. Has never been subject to a permanent revocation of license or certification by a state EMS office or other recognized state or national healthcare provider licensing or certifying body.

H. EMS personnel may not act as an operator of an EMS vehicle if they have been convicted upon a charge of driving under the influence of alcohol or drugs, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to § 18.2-271.1 hit and run, or operating on a suspended or revoked license within the past five years. A person having any of these convictions may be eligible for reinstatement as an operator after five years and after successful completion of an approved emergency vehicle operator's course (EVOC) within the year prior to reinstatement.

I. All references to criminal acts or convictions under this section refer to substantially similar laws or regulations of any other state or the United States. Convictions include prior adult convictions, juvenile convictions and adjudications of delinquency based on an offense that would have been, at the time of conviction, a felony conviction if committed by an adult within or outside Virginia, Maryland, Pennsylvania or West Virginia.

These criteria meet the legal requirements for the ASRC as an EMS organization. As such they may change from time to time or vary from state to state. Therefore the above should be treated as the minimum standards by which an applicant for membership of the ASRC will be judged.