



**RECOMMENDATION FOR CONSIDERATION**

Board Meeting Date: **December 14, 2011**

Subject: **Child Abuse Clearance Checks for EMS Providers**

VTR#: **1211-02**

Committee/Task Force: **EMS for Children Committee**

Recommended Goal

Recommended Policy Change

Other:

**Recommendation:**

**The Department of Health should expand its current criminal history monitoring efforts to include screening for convictions of criminal acts against children, via the PA Child Line, to be performed by the EMS agency as part of the required documentation for licensure and should also include the screening of students enrolled in an EMS certification program.**

**Rationale [Background]:**

More and more, cases of child abuse and other crimes against children are being seen in the media. Often, the perpetrator of these offenses is someone known to, or trusted by, the victim. In 2010 there were 3,668 substantiated cases of child abuse in Pennsylvania; approximately 330 of those cases were children who were victimized more than once. A requirement for EMS agencies to screen their employees/members for a child abuse history could create a deterrent for people with a known history of criminal charges from seeking employment and could provide an opportunity for agencies to put safeguards in place to protect their patients.

Currently, educators and other healthcare professionals are subject to background checks, including screenings for a child abuse history. Despite the potential for regular contact for children, EMS providers are not currently included in this mandate. In 2009, the EMSC Committee presented the PEHSC Board of Directors with a position statement that supported including EMS providers, at all levels, under the umbrella of included parties responsible for complying with HB1961/Act 73 of 2007 related to professions which should submit to criminal background checks. This position statement was supported by the Board of Directors.

The Pennsylvania Department of Health has access to the Justice Network (J-Net) system to evaluate the status of the Commonwealth's EMS providers relative to their history of criminal convictions. Presently, new candidates for EMS certification, if they self-report a criminal offense, are evaluated through J-Net. However, it is the opinion of the Committee that this screening is insufficient and may not properly alert EMS agency leaders of all areas for concern. The Pennsylvania Department of Public Welfare Child Line screening is often more current than PA State Police or FBI checks and is inclusive of cases of abuse/neglect against children that may still be open. Incomplete or unfounded investigations will remain open for one year on Child Line but will not appear on other reports. EMS agency leaders should be encouraged to consult their legal counsel before acting on an incomplete or unfounded investigation.

### **Medical Review [Concerns]:**

There are no clinical implications associated with this recommendation.

### **Fiscal Concerns:**

The fiscal impact of this recommendation was discussed at length during the committee meeting(s). While there is a \$10 cost per application submitted to the Department of Public Welfare, the consensus of the committee members is that this cost was nominal and should be considered within the cost of doing business as an EMS organization.

The frequency of repeat screenings would be left at the discretion of the EMS agency with consultation from their legal counsel.

### **Educational Concerns:**

Education for the EMS provider is not applicable with this recommendation. The Department of Health should consider supplementing this policy change with education for the EMS agency manager on what is included with the various types of background checks, including Child Line. Furthermore, managers should be guided to consult their legal counsel for appropriate responses to returning background checks that include findings.

### **Plan of Implementation:**

Upon acceptance of this recommendation, the Department of Health should:

1. Issue an EMS Information Bulletin and RC Memo to EMS Agencies and Regional EMS Councils to provide notice of the pending change to be effective by January 1, 2013.
2. Modify EMS agency licensure documents to include inspection for PA Child Line screening forms for EMS providers during the inspection for required documentation.
3. Coordinate with EMS training institutes to expand the background check process for EMS students to incorporate screening using PA Child Line.
4. Consider allowing for the application of EMSOF funds to offset the cost associated with the PA Child Line Clearance.
5. Provide advice to EMS agencies through the Information Bulletin system to consult their legal counsel on how to respond to background checks that show conviction(s).

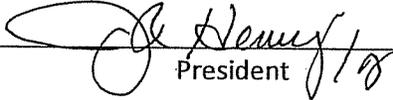
The PEHSC Committee/Task Force offers consultation to the Department in regard to the content of this Vote to Recommend (VTR) and its attached documents. The PEHSC Committee/Task Force specifically offers staff or member support to participate in Department deliberations regarding this recommendation in an effort to convey committee/task force discussions.

### **Board Meeting Comments/Concerns:**

Discussion was held during the Board of Director's meeting related to this VTR. Board members expressed their support of the VTR and agreed that the cost of the Child Line screening was of minimal impact. Much discussion was held on the need to include EMS students in the scope of this recommendation. It was agreed that it is within the purview of the EMS

education institute to permit enrollment of a student who has a positive criminal history, this is a separate concept from certification concerns.

Electronic comments were received by Board members via e-mail expressing concern of smaller EMS agencies absorbing this cost for their members.

Signed:  President Date 12/22/11

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Accept: \_\_\_\_\_ Table: \_\_\_\_\_ Modify: \_\_\_\_\_ Reject: \_\_\_\_\_

Comments:

Date of Department Response: \_\_\_\_\_