



Report of the AACP Criminal Background Check Advisory Panel

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All information contained in this paper is for informational purposes only and is not legal advice. Institutional, state legislature, state board, and experiential site requirements vary widely and may evolve over time. Individuals with questions or a situation requiring advice should contact an attorney or appropriate expert.

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Table of Contents

INTRODUCTION	3
ACPE Requirement.....	3
JCAHO	4
Pharmacist Licensure	4
TYPES OF BACKGROUND CHECKS	5
National	6
State.....	6
County.....	7
Federal Bureau of Investigations	7
SPECIAL CONSIDERATIONS: CHECKS AND OFFENSES.....	8
HCA Check Levels	8
Level I	8
Level II	8
Level III	8
Classification of Offenses	8
Minor Traffic Violations	9
International Students.....	9
ADMISSIONS	10
Possible State Restrictions on Use of CBCs in Admissions	11
Checks for Accepted Applicants Only.....	12
What Should A Policy Include?.....	12
ASSESSMENT OF CBC RECORDS	14
Evaluation Criteria.....	14
Approach to the Evaluation of Offenses	15
School-defined List of Serious Offenses.....	15
Minority Students	16
Arrest Records	17
Misdemeanors.....	17
Juvenile Records	17
Expunged Records	17
Errors in Reporting.....	18
Appeal Process.....	18
MANAGING CBC RESULTS.....	19
Confidentiality and Recordkeeping	19
Disclosure of Results	19
Experiential Site	19
Financial Aid Officers	20
Campus Police / Security	20
Substance Abuse Counselors and Residence Life.....	20
State Police	20
State Boards of Pharmacy	21
RECOMMENDATIONS	21
Recommendations for AACP	21
Recommendations for AACP Member Institutions	22

INTRODUCTION

A growing number of national healthcare organizations, institutions, and state legislatures require pharmacy degree students to complete a criminal background check (CBC) at least once during their educational career. Background checks are commonly required for hospital staff, as well as individuals, such as teachers, coaches, child care providers, social workers, and home health care providers, who work or volunteer with children or other vulnerable populations. Pharmacy students may be subject to criminal background checks earlier in their educational career and more often than medical school students due to the use of early experiential educational experiences required at the beginning of the curriculum versus at the end of the didactic program. Facilities requiring pharmacy students to complete a CBC include Veteran Affairs, long-term care facilities, state and Federal Bureau of Prisons, psychiatric facilities, pharmaceutical companies, and hospitals. A background check may use a myriad of resources to verify or report one or more of the following: social security number, employment history, credit history, education, professional licensure, driver's license, addresses, criminal convictions, civil lawsuits, and motor vehicle records.¹

AACP organized an adhoc Criminal Background Check Advisory Panel in May 2006 to identify common problems and possible strategies to assist members with this rapidly evolving issue. The resulting paper is to introduce pharmacy colleges and schools to the important issues regarding access to, and use of, criminal records of pharmacy students.

Pharmacy colleges and schools may require criminal background checks for students in response to external pressures. Of the 61 U.S. pharmacy degree institutions and 2 Canadian institutions who responded to an AACP survey in August 2006, the majority (63 percent) implemented a criminal background check policy due to the requirements imposed by experiential education sites. AACP does not encourage the use of criminal background checks for student pharmacists; but recognizes that legal, legislative, and organizational demands may force some member institutions to adopt a CBC process.

There are reasons a criminal background check may be advantageous to students, institutions, and patients. The Association of American Medical Colleges (AAMC) Criminal Background Check Advisory Committee identified four reasons for completing criminal background checks on applicants accepted to medical school. The rationale could also be applied to pharmacy.

- To bolster the public's continuing trust in the [pharmacy] profession
- To enhance the safety and well-being of patients
- To ascertain the ability of accepted applicants and enrolled [pharmacy] students to eventually become licensed as [pharmacists], and
- To minimize the liability of [pharmacy] schools and their affiliated clinical facilities.²

ACPE Requirement

Sixty-three percent of the 2006 AACP survey respondents currently have a criminal background check policy for professional pharmacy degree students, 29 percent do not, and 8 percent selected "not sure". The Accreditation Council for Pharmacy Education (ACPE) 2007 *Accreditation Standards and Guidelines for the Professional Program in Pharmacy Leading to the Doctor of Pharmacy Degree* requires pharmacy schools to publish a criminal background check policy. ACPE Guideline 17.4 states, "Criminal and other activities that may restrict the student's

¹ Alley NM, Marrs J, Schreiner B, Nurses' Promise to Safeguard the Public: Is It Time for Nationally Mandated Background Checks. *JONA's Healthcare, Law, Ethics, and Regulation*. 2005;7:119.

² Report of the AAMC Criminal Background Check Advisory Committee. Association of American Medical Colleges. 2006. Available at: http://www.aamc.org/members/gsa/cbc_final_report.pdf Accessed on September 12, 2006.

ability to access experiential sites or potentially affect the student's eligibility for future licensure, by reason of state statutes or regulations, should be identified. Policies and procedures in accord with those of the university should be in place and available, under which students will be advised of the types of disclosures they may be required to make prior to admission and during the professional degree program, what background checks they may be subject to prior to admission and during the professional degree program, and the potential adverse consequences resulting from these disclosures or background checks." Pharmacy colleges and schools that do not yet have a statement or policy on criminal background checks must develop one by July 2007 to be in compliance with the Standards.³

JCAHO

The Joint Commission for the Accreditation of Health Care Organizations (JCAHO) does not require accredited organizations to conduct criminal background checks. If a health care organization chooses to require a record search, then it must be in compliance with state and organizational policies to become or remain accredited. Organizations may interpret the JCAHO standard to mean that checks are required for accreditation recognition and implement a record search requirement for all employees, volunteers, and students using the same set of policies regardless of their applicability to a particular group. As a result, a growing number of pharmacy institutions are confronting criminal background check requirements for those students assigned to a clinical facility for education and training. Experiential learning sites do not comply uniformly with the laws and regulations governing criminal background checks. Colleges and schools of pharmacy entering into agreements with experiential learning sites must cope with different types of record search and drug testing requirements at different institutions. Most pharmacy schools who responded to the survey cited experiential sites as the catalyst for the development of a CBC policy for students.⁴

Pharmacist Licensure

Based on the results of an AACP survey in September 2006, criminal background checks vary significantly from state to state. The majority of State Boards of Pharmacy only ask questions relevant to the candidate's criminal convictions and drug history. The National Association of Boards of Pharmacy (NABP) does not currently track the criminal background check policies of state boards of pharmacy.

Article III of the January 2006 Model State Pharmacy Act and Model Rules of the National Association of Boards of Pharmacy specifies the requirements for initial licensure of pharmacists. Qualifications for licensure require the applicant to "be of good moral character"; however, they allow the board to refuse to issue, revoke, suspend, etc the license of someone guilty of a felony. In addition, the Model Rules do not address the use of a criminal background check.⁵

Ten state boards of pharmacy reported to AACP in September 2006 that they require candidates to complete a criminal background check as part of the licensure application process: Arkansas, California, Mississippi, Missouri, New Jersey, Oregon, Texas, Utah, Washington, and Wyoming. Thirty-six states do not currently require a criminal background check and 4 states did not respond to the survey. Several of the states that do not currently have a criminal background check policy in place indicated they may require criminal background checks in the future. The

³ Accreditation Standards and Guidelines for the Professional Program in Pharmacy Leading to the Doctor of Pharmacy Degree. Accreditation Council for Pharmacy Education. July 2007.

⁴ Requirements for Criminal Background Checks. Joint Commission on Accreditation of Healthcare Organizations. Available at: <http://www.jointcommission.org/AccreditationPrograms/AmbulatoryCare/Standards/FAQs/Manage+Human+Res/Planning/background.htm>. Accessed on August 1, 2006.

⁵ Model State Pharmacy Act and Model Rules. National Association of Boards of Pharmacy. January 2006.

initial review of the reported offense may go through one board administrator, an established review committee, or the full state board.

Selected state boards may require pharmacists to undergo criminal background check once licensure is granted. Seven states (Nevada, Oklahoma, South Carolina, West Virginia, Wisconsin, Wyoming, and Texas) require a criminal background check during the renewal process or if an offense is noted. Four states (Colorado, Michigan, North Dakota, and Oregon) request background checks of licensed pharmacists on a random basis or at the request of the employer.

State boards of pharmacy review and evaluate criminal records and self-reported offenses differently. Some states review offenses on a case-by-case basis. Other state boards have published explicit criteria regarding who is eligible to practice pharmacy. Arkansas, for example, states the following:

“No person shall be eligible to receive or hold an intern or pharmacist license or a pharmacy technician registration issued by the Board if that person has pleaded guilty or nolo contendere to, or has been found guilty of any of the following offenses, regardless of whether an adjudication of guilt or sentencing or imposition of sentence is withheld, by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court (collectively “conviction”): (1) Any felony; (2) Any of the following:

- Theft
- Forgery and Fraudulent Practices
- Fraud Against Government
- Fraudulent Issuance of Warrants
- Employer, Employee liens
- Obtaining Information by Fraudulent Representation
- Insurance Holding Companies
- False Reports, Motor Fuel Taxes
- Fraudulent Applications
- Uniform Controlled Substances Act”

An Arkansas licensure applicant who has a criminal conviction may seek to have the conviction waived and application approved at which time the state board may consider relevant data such as references, age at the time of the offense, etc. Pharmacy colleges and schools should review the state board requirements and policies for licensure applicants with criminal records.⁶

TYPES OF BACKGROUND CHECKS

Commercial background check firms can access only three original sources of criminal history, according to Lester S. Rosen, president of Employment Screening Resources (ESR), and Carl R. Ernst, CEO of Ernst Publishing Company.

1. Court records containing local, state, or federal contain incidents of arraignment, trial, and disposition of case.
2. Law enforcement agency records containing incidents of complaint, investigation, arrest, and indictment.
3. Corrections agency records containing information about probation, parole, and incarceration.

⁶ Arkansas State Board of Pharmacy Regulations: Regulation 11 (2004). Available at: <http://www.arkansas.gov/asbp/lawbook.html>. Accessed on September 4, 2006.

⁷ Ernst CR, Rosen R. National Criminal History Databases: Issues and Opportunities in Pre-employment Screen. *BRB Publications, Inc.* November 26, 2002. Available at: <http://www.brbbpub.com/articles.asp>. Accessed on September 12, 2006.

To obtain these records, commercial CBC companies must visit the courts or government offices; contact the office via email, mail, or phone; or remotely access the official online database of the office. In 2005 sixty-five percent of public records remained offline. Of the 35 percent online, many contain no personal identifying information. Therefore, search firms must often visit many of the more than 3,100 county court offices in person in order to access their records. Pharmacy institutions should not use a commercial vendor that relies solely on online databases for record searches. For more information about different types of searches and common terms, see Appendix A.

State boards of pharmacy and pharmacy degree institutions may use state police agencies to conduct criminal background checks. State police agencies have access to private government databases that are not open to commercial firms, but may be limited to offenses in the state and the National Crime Information Center (NCIC) database. State police may also not verify past residencies and criminal offenses in other states may be omitted from an individual's record.⁸

National

A defensible criminal background search process must be comprised of multiple types of checks. There is no national criminal history database that is available to the public or private data firms. Instead, search firms use or create proprietary databases by retrieving information from county, state, and federal repositories.

Some firms use a privately-owned national service, known as the National Criminal File (NCF) which includes as many as 133 million records. Critics claim that the NCF contains minimal information from state repositories or county criminal courts, the data is not updated frequently, and it is often lacking personal identifiers (e.g., date of birth) beyond name needed for identity verification.⁹

There are numerous reasons why any nationwide criminal record databases are not yet reliable or comprehensive. In some states, the counties report their data to a state law enforcement agency, such as the Texas' Department of Public Safety. In other cases, as in California, counties sell their data individually to private firms. Other counties refuse to sell the data entirely or participate in their state repository systems which feed information into the national databases. Some states only provide parole and probation information (state prison records) to national databases and omit county court records. The frequency with which states report data to national databases varies significantly by state. National criminal databases also do not include federal or sexual offender convictions. On the positive side, a national check may reveal a criminal offense committed outside the individual's county or state of residency.¹⁰

State

State-based repositories of criminal records have similar limitations to the national databases. These databases may not report all criminal convictions within the state and do not include federal court records. Each county is instructed to send records to the state on a scheduled basis. Some counties comply with state reporting requirements, while other counties send records to the state on a delayed or sporadic basis, and some counties do not send any information to the state.

⁸ Tyburski G. The art of public records research. *The CyberSkeptic's Guide to Internet Research*. Nov/Dec 2005. Available at: http://www.virtualchase.com/articles/public_records_research.html. Accessed on August 12, 2006

⁹ Peterson L. Not all checks are created equal. 2005. Available at: http://www.virtualchase.com/articles/criminal_checks.html . Accessed on August 11, 2006

¹⁰ Sullivan B. Criminal background checks incomplete: How convicted felons can slip through safety net. *MSNBC*. Updated: 5:06 p.m. ET April 12, 2005. Available at: <http://www.msnbc.msn.com/id/7467732/> Accessed on August 11, 2006.

The records may not provide adequate detail about the offense or subsequent information, such as a pardon.

According to the U.S. Department of Justice, Bureau of Justice, 24 states reported that only 57 percent of dispositions (final court decisions) were received by the state criminal history repositories and 19 states indicated they had a significant backlog for entering court data into the criminal records database. Due to the lag time in reporting from the county to the state level, more recent offenses may be missed if only a state record search is conducted. Therefore, a statewide record check alone may result in an incomplete or inaccurate criminal history.¹¹

County

Counties are generally selected based on the individual's residence history, work history and institutional enrollment. Case details may include offense, pleading or finding, disposition, and docket number. Researchers may access county criminal record searches via "walk-in" searches or external databases. Some county records are only available via on-site searches. County checks are widely regarded as the most accurate; however, they only provide a record of incidents for that particular county. If students do not provide a complete residency history or if they have records outside their place of residency, then the county search may not reveal all past offenses. A county search done in conjunction with a state, national, and federal court search is more likely to reveal a criminal history.¹²

Federal Bureau of Investigations

Following the events of September 11, a greater number of employers conducted criminal background checks on employees. Companies and institutions may require students to go through the Federal Bureau of Investigations (FBI) in attempt to obtain a more complete criminal record. Twenty percent of the pharmacy school survey respondents require students to complete an FBI check.

The FBI search utilizes the National Crime Information Center (NCIC). NCIC is a central database for tracking crime-related information maintained by the FBI's Criminal Justice Information Services Division (CJIS). Most data is received from federal, state and local law enforcement agencies, as well as tribal law enforcement agencies and non law enforcement agencies such as state and federal motor vehicle registration and licensing authorities. The data is only available to governmental agencies, such as the state police and Veteran Affairs (VA) hospitals. NCIC is not open to privately-owned research firms.¹³

Although FBI checks are generally considered more reliable than privately-managed checks, the FBI files are not comprehensive and can take up to 8 weeks to process. Some police departments do not report to the FBI. The FBI database relies on state repositories which may not be comprehensive or current, and it may not contain misdemeanor data.¹⁴

¹¹ Survey of State Criminal History Information Systems, Bureau of Justice Statistics. 2003. Available at: <http://www.ojp.usdoj.gov/bjs/abstract/sschis03.htm>. Accessed on September 15, 2006.

¹² Sullivan B.

¹³ Federal Bureau of Investigation, Criminal Justice Services Information System, National Crime Information Center. Available at: <http://www.fbi.gov/hq/cjisd/ncic.htm>. Accessed on August 2, 2006.

¹⁴ Scalet SD. Bad Checks. *CSO Magazine*. August 2004. Available at: <http://www.csoonline.com/read/080104/>. Accessed on August 30, 2006.

SPECIAL CONSIDERATIONS: CHECKS AND OFFENSES

HCA Check Levels

The Hospital Corporation of America (HCA) defines three levels of criminal background checks. The three levels include all offenses extending over a 7 year history. The types of checks included in a Level I, II, and III check may vary among HCA sites as well as among other health care organizations that use the same terminology. Some institutions, such as Nova Southeastern University Health Professions Division, have adopted this terminology in their school policies.

Level I

- Social Security Number trace (verification)
- Employment Verification including reason for separation and eligibility for re-employment for each employer
- Violent Sex Offender and Predator Registry search
- Office of Inspector General (OIG) list of excluded individuals/entities
- General Services Administration (GSA) list of parties excluded from federal programs.
- U.S. Treasury, Office of Foreign Assets Control, List of Specially Designated Nationals (SDN)
- Applicable State Exclusion list

Level II

An HCA Level II background check includes all of the Level 1 checks, plus

- Education Verification
- Professional License Verification
- Certification & Designation check
- Professional Disciplinary Action Search

A Level II check may also include

- Department of Motor Vehicle Driving History, or
- Consumer Credit Report

Level III

In addition to level I and II searches, a Level III search includes:

- Newspaper Articles & Clippings
- Bankruptcy and Federal District Court Search

Some of the HCA background checks were adopted primarily for employment purposes and may not be relevant to students. For instance, pharmacy schools may wish to dispute the need for employment verification of students who have little or no work experience, or who are under the age of 21.¹⁵

Classification of Offenses

Institutions may determine the seriousness of an offense partially by its legal classification. Each jurisdiction may have slightly different definitions for various crimes. A felony in one state may be a gross misdemeanor in another. Pharmacy schools, experiential sites, and licensing boards

¹⁵ HCA Policies and Procedures, HR.102 – Background Investigations. Hospital Corporation of America. July 1, 2006. Available at: <http://ec.hcahealthcare.com/CustomPage.asp?PageName=PHR>. Accessed on October 5, 2006.

should take both the type of offense and its classification into consideration during a review process.

The most recent official version of the United States Code made available by the US House of Representatives states that an offense that is not specifically designated is classified by the maximum term of imprisonment authorized.

- | | |
|-------------------------|--|
| (1) Class A felony | - life imprisonment, or if the maximum penalty is death |
| (2) Class B felony | - twenty-five years or more |
| (3) Class C felony | - less than twenty-five years but ten or more years |
| (4) Class D felony | - less than ten years but five or more years |
| (5) Class E felony | - less than five years but more than one year |
| (6) Class A misdemeanor | - one year or less but more than six months |
| (7) Class B misdemeanor | - six months or less but more than thirty days |
| (8) Class C misdemeanor | - thirty days or less but more than five days |
| (9) Infraction | - five days or less, or if no imprisonment is authorized |

A “serious violent felony” is defined in the U.S. code as a Federal or state offense of murder; manslaughter (other than involuntary manslaughter); assault with intent to commit murder; assault with intent to commit rape; aggravated sexual abuse and sexual abuse; abusive sexual contact; kidnapping; aircraft piracy; carjacking; extortion; arson; firearms use; firearms possession; or attempt, conspiracy, or solicitation to commit any of the above offenses.¹⁶

Minor Traffic Violations

Minor traffic violations may be revealed in the criminal background check process. The pharmacy institution, experiential site, and state licensure boards may require the individual to disclose these offenses. There is no common definition for a “minor traffic violation”. Definitions vary by state, city, and institution. It is commonly defined as a non-moving violation or as a traffic offense in which only a citation was written. Any traffic violations involving drugs or alcohol are not generally considered minor offenses and should be disclosed by the applicant. Examples of violations not generally considered minor traffic violations include those involving substance abuse such as Driving While Intoxicated, (DWI), Driving Under the Influence (DUI), Driving While License is Suspended (DWLS), Failure to Appear (FTA), Reckless Driving, Open Container and Assault with a Motor Vehicle. See Appendix B for examples of traffic violations that may be considered minor in nature. Each institution should establish its own inventory of minor traffic violations.^{17 18}

International Students

The pharmacy school should provide criminal background check policy information for students enrolled under F-1 or J-1 visas. The U.S. Department of State visa application process includes a background check process, as stated in their informational materials.

“Your information is submitted and checked in the world’s foremost security database, which includes comprehensive information drawn from both U.S. and foreign law enforcement agencies worldwide. If your name or a close variation indicates security concerns, the

¹⁶ United States Code. Title 18, Part II, Chapter 227 Subchapter A, 3559, Sentencing classification of offenses. Available at: http://www4.law.cornell.edu/uscode/html/uscode18/usc_sec_18_00003559----000-.html and <http://uscode.house.gov/download/download.shtml> . Accessed on September 10, 2006.

¹⁷ Texas Department of Criminal Justice. Examples of Minor Traffic Violations (PD 27). Available at: <http://www.tdcj.state.tx.us/vacancy/hr-policy/pd-27a.pdf> . Accessed on August 26, 2006.

¹⁸ Encyclopedia of Everyday Law. Traffic Violations. Available at: <http://law.enotes.com/everyday-law-encyclopedia/traffic-violations> . Accessed on September 10, 2006.

process will be delayed. Additional steps will vary from requests for additional interviews and information to official registration and fingerprinting. This may add at least 4–6 weeks to the processing time. Registration upon arrival in the United States is mandatory in many cases but registration can be required in any case regardless of country of origin.¹⁹

Before the events of September 11 the U.S. Department of State would submit an applicant's information to the FBI or CIA for a background check. If no response was received, the government would still approve the visa. The consul must now receive a positive response from the agency to be able to issue the visa.

The U.S. State Department would not respond to specific questions about the types of checks conducted on student visa applicants. According to David Ware, an immigration lawyer for the firm David Ware & Associate, there are 2 background checks in place for student visa applications: the Mantis and Condor. Visa applicants whose work in an occupation in the "Technology Alert List" may be subject to the Mantis background check. The Technology Alert List identifies fields of study or work that could be used against the U.S. in an act of terrorism, or transferred to rogue nations. It includes pharmacy related fields, such as pharmacology, toxicology, biochemistry, and pharmaceutical production technology. Individuals engaged in graduate-level studies and teaching, as well as other activities, may be ineligible for visa status if the check reveals any previous offenses.²⁰

Ware states that the Mantis search focuses on individuals from specific nationalities more than others, and the consulate decides whether to order one or both checks. For instance, a biomedical engineer from a "friendly" country such as France is less likely to be subject to a Mantis search in contrast to a Syrian national in the same field.

The state department added another background check called the "List of 27" security check, also known as Condor. It is performed on males between the ages of 17 and 60 from certain countries including Afghanistan, Algeria, Bahrain, Bangladesh, Djibouti, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, possibly Turkey, United Arab Emirates, and Yemen.

If the student has lived in the United States for any period of time, the pharmacy school may wish to consider requiring the applicant to undergo a U.S. background check in addition to the checks performed during the visa process. If the student has only lived outside the U.S., the institution must decide if the visa application will likely satisfy the criminal background check requirements for the experiential sites, institution, and state board of pharmacy.²¹

ADMISSIONS

Pharmacy school applications commonly include a question regarding past criminal offenses. Of the approximately 14,000 applicants who applied through the Pharmacy College Application Service (PharmCAS) in the 2005-06 admissions cycle, 19 self-reported a felony conviction. If the institutional legal counsel approves and the state legislature permits it, schools may choose to ask questions related to misdemeanors and arrests.

Pharmacy application questions regarding past arrests or convictions should specify exactly what types of records the applicant must disclose and whether any positive response would result in an automatic denial of admission. If an applicant does not fully disclose a past offense as required by

¹⁹ United States Department of State. Obtaining a U.S. Visa: A step-by-step outline of today's U.S. visa application procedures. Available at: <http://www.unitedstatesvisas.gov/pdfs/gettingvisa.02.03.pdf>. Accessed on September 20, 2006.

²⁰ U.S. Department of State, Bureau of Administration. Foreign Affairs Manual. 2006: Vol. 9, 40.31 Exhibit I. June 13, 2006. Available at <http://foia.state.gov/masterdocs/09fam/0940031X1.pdf>. Accessed on September 15, 2006.

²¹ Ware D. The student visa "crapshoot". *Business Week*. March 17, 2005. Available at http://www.businessweek.com/bschools/content/mar2005/bs20050317_7896.htm.

the institution (regardless of its category or severity), the institution may revoke the applicant's offer of admission based on the falsification of application documents.

Pharmacy school polices may wish to indicate whether the applicant should reveal the following types of records on their application.

- a plea of "no contest" or "nolo contendere";
- a juvenile offense;
- an offense whose records have since been expunged;
- any conviction that the applicant is currently appealing;
- applicant was arrested but not charged;
- arrested and charged but the charges were dropped;
- arrested and charged but found not guilty by a judge or jury;
- arrested, found guilty by a judge or jury but the conviction was overturned on appeal; or
- received an executive pardon.

The institution may want to request additional information as part of the application, such as the terms or conditions of any plea, penalty, punishment, sentence, probation or parole; details regarding the offense; and the applicant's reflections on the experience.²²

The PharmCAS application only requests information on felony convictions since not all states allow institutions to consider misdemeanors, arrests, or other criminal records in the admissions process. The 2006-07 PharmCAS application includes the following related questions and instructions.

"Have You Ever Been Convicted of a Felony?"

If you answer "Yes", please provide an explanation in the box provided. If you fail to provide accurate information when answering this question, you may jeopardize your application. Applicants who are convicted of a felony after submission of their completed PharmCAS application must inform their designated pharmacy colleges and schools that an action has occurred.

Pharmacy schools may require criminal background checks and/or drug tests in order to verify an individual's suitability to participate in experiential education rotations, to confirm a student's eligibility for pharmacy licensure, and to ensure patient safety. Contact your designated pharmacy schools directly for specific policies. Contact the National Association of Boards of Pharmacy (NABP) to determine if a felony conviction will prevent you from obtaining a license to practice pharmacy in a particular state. NABP, 1600 Feehanville Drive, Mount Prospect, IL Tel: 847.391.4406, Fax: 847.391-4402, <http://www.nabp.net/>

Explanation - Felony

If you answered "yes" to the previous question, enter a brief explanation in the box provided. In your explanation, include 1) a brief description of the incident and/or arrest, 2) specific charge made, 3) consequence, and 4) a reflection on the incident and how the incident has impacted your life."

Possible State Restrictions on Use of CBCs in Admissions

Pharmacy schools should research state law to determine what information may be requested on the pharmacy school application and any limitations on how that data may be used in the pharmacy admissions process. For example, language in Section 2 of Massachusetts Law 151C, "Unfair Practices" limits the type of information one can request of an applicant to a Massachusetts school.

²² Langhauser D. Use of criminal convictions in college admissions. National Association of College and University Attorneys (NACUA) Annual Conference 2000. Available on the AACP site at: <http://www.aacp.org/site/page.asp?TRACKID=&VID=1&CID=1185&DID=6830>

Plea Bargain	A process whereby the prosecutor and defense attorney negotiate a mutually satisfactory disposition of the case. The court and the defendant must approve of any settlements. For example, a guilty plea may be exchanged for a lesser charge or a sentencing recommendation, or for dismissal of one or more of the charges in a multi-count information, or for dismissal of another case.	www.utcourts.gov/resources/glossary.htm
Public Access to Court Electronic Records (PACER)	PACER (also known as U.S. Party/Case Index) is a service of United States Judiciary and is an electronic public access service that allows users to obtain case and docket information from Federal Appellate, District and Bankruptcy courts, and the U.S. Party/Case Index via the Internet. Each court maintains its own databases with case information. Because PACER database systems are maintained within each court, each jurisdiction will have a different URL. Accessing and querying information from each service is comparable; however, the format and content of information provided may differ slightly. Not all federal courts participate in the database.	http://pacer.psc.uscourts.gov/
Social Security Number Search	The social security number (SSN) search is offered by background check services and is a tool for finding addresses or names an individual used when applying for credit with a social security number. The SSN trace may reveal if an individual has used a different name or other residences. Once all prior names and addresses are known; a county, state, or national criminal background check can be performed from this information.	
Specially Designated Nationals List (SDN)	As part of its enforcement efforts, OFAC (Office of Foreign Assets Control, U.S. Department of the Treasury) publishes a list of individuals and companies owned or controlled by, or acting for or on behalf of, targeted countries. It also lists individuals, groups, and entities, such as terrorists and narcotics traffickers designated under programs that are not country-specific. Collectively, such individuals and companies are called "Specially Designated Nationals" or "SDNs." Their assets are blocked and U.S. persons are generally prohibited from dealing with them.	http://www.ustreas.gov/offices/enforcement/ofac/fag/answer.shtml#17
State Sex Offender Registries	All 50 states and Puerto Rico maintain centralized repositories on sex offenders. These records may or may not be reported to the national repository.	http://www.fbi.gov/hq/cid/cac/states.htm

Statewide Criminal History	State checks do not always report all criminal convictions within the state. Each county is instructed to send records to the state on a scheduled basis. Some counties comply with state reporting requirements, while other counties send records to the state on a delayed or sporadic basis, and some counties do not send any information to the state. Therefore, a statewide background check may be incomplete or inaccurate.	http://www.virtualchase.com/resources/criminal_records.html#a
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Examples of Minor Traffic Violations

- Bicycle ordinance violations.
- Blocking or retarding traffic.
- Child restraint violations (unless charged with child endangerment).
- Crossing median.
- Cutting across private property to avoid intersection.
- Disobeying traffic lights signs or signals.
- Driving on shoulder.
- Driving uninsured vehicle.
- Driving with blocked vision or tinted window.
- Driving with expired plates or without plates.
- Driving without headlamps.
- Driving without rear lamps.
- Driving without registration or without proper registration.
- Driving wrong way on dual lane or one-way street.
- Failure to dim headlamps.
- Failure to have vehicle under control.
- Failure to signal when turning.
- Failure to stop for RR warning.
- Failure to stop or yield to pedestrian.
- Failure to submit report after accident.
- Failure to yield from private drive, left turn, right of way.
- Faulty equipment, such as defective brakes, tires, exhaust, horn, lights, mirror, muffler, signal device, steering device.
- Following too closely.
- Improper backing, such as into intersection, highway, or backing over.
- Improper blowing horn.
- Improper loading of vehicle.
- Improper passing, such as on right, in no-passing zone, by stopped school bus, or a pedestrian in crosswalk.
- Improper turn.
- Improper use of traffic lane.
- Inspection violation such as unofficial or invalid inspection sticker or failure to display sticker.
- License plates improperly displayed or not displayed.
- Motorcycle - Failure to burn headlamps, tail light, or wear helmet.
- Overloaded/overcrowded vehicle.
- Parking violation.
- Racing, dragging or contest for speed.
- Red light violation
- Seat belt violation.
- Skateboard or roller-skate violations.
- Speed less than posted minimum or than reasonable.
- Speeding (unless charged with reckless driving).
- Speeding in a school zone.
- Spilling load on highway.
- Spinning wheels, improper start, zigzagging or weaving in traffic.
- Stop sign violation.
- Unsafe movement.
- Violation of driver license restrictions.
- Violation of noise control ordinance (vehicle).

Virginia Barrier Crimes

- Abduction with Intent to Extort Money or for Immoral Purpose
- Abduction (Kidnapping)
- Abuse and Neglect of Children
- Abuse and Neglect of Incapacitated Adults
- Adulteration of Food, Drink, Drugs, Cosmetics, etc.
- Aggravated Malicious Wounding
- Aggressive Use of a Machine Gun
- Assault and Battery
- Assault and Battery (Misdemeanor) in the Ten Years Prior to Application Date
- Assault and Battery Against a Family or Household Member
- Assault and Battery Against a Family or Household Member (Misdemeanor) in the Ten Years Prior to Application Date
- Assault and Battery Against Law Enforcement (Code Section was changed after 1997)
- Attempted Aggravated Sexual Battery
- Attempted Forcible Sodomy
- Attempted Object Sexual Penetration
- Attempted Rape
- Attempted Sexual Battery
- Attempts to Poison
- Bodily Injuries Caused by Prisoners, Probationers, or Parolees
- Breaking and Entering Dwelling House with Intent to Commit Other Misdemeanor
- Burglary
- Burning Building or Structure While in such Building or Structure with Intent to Commit Felony
- Burning or Destroying any Other Building or Structure
- Burning or Destroying Dwelling House, etc.
- Burning or Destroying Meeting House, etc.
- Burning or Destroying Personal Property, Standing Grain, etc.
- Carelessly Damaging Property by Fire
- Carjacking
- Carnal Knowledge of Certain Minor
- Carnal Knowledge of Child Between 13 and 15
- Carnal Knowledge of Inmate, Parolee, Probationer and Pretrial or Posttrial Offender
- Causing, Inciting, etc. Threats to Bomb or Damage Buildings or Means of Transportation; False Information as to Danger to such Buildings, etc.
- Certain Premises Deemed Common Nuisance
- Crimes Against Nature Involving Children
- Delivery of Drugs to Prisoners
- Distribution of Certain Drugs to Persons Under 18
- Drive-By Shooting
- Drug Attempts
- Drug Conspiracy
- Electronic Facilitation of Pornography
- Employing or Permitting Minor to Assist in Obscenity and Related Offenses
- Entering Bank, Armed, with Intent to Commit Larceny
- Enter Dwelling House, etc. with Intent to Commit Larceny, Assault and Battery or Other Felony
- Enter Dwelling House, etc. with Intent to Commit Murder, Rape or Robbery
- Escape from Jail
- Extortion by Threat
- Failing to Secure Medial Attention for Injured Child
- Felonies by Prisoner
- Firearms – Allowing Access by Children

- Hazing
- Homicide
- Incest
- Involuntary Manslaughter
- Maiming, etc. of Another Resulting from Driving While Intoxicated
- Maintaining a Fortified Drug House
- Malicious Bodily Injury by Means of any Caustic Substance or Agent or Use of any Explosive
- Malicious Bodily Injury to Law Enforcement Officers
- Malicious Wounding by Mob
- Manufacture, Possession, Use, etc. of Fire Bombs or Explosive Materials or Devices
- Manufacturing, Selling, Giving, or Distributing a Controlled Substance or an Imitation Controlled Substance
- Money Laundering (Pertains to convictions prior to 1999, when law was repealed)
- Murder, Capital
- Murder, First and Second Degree
- Murder of a Pregnant Woman
- Obscenity Offenses
- Obtaining Drugs, Procuring Administration of Controlled Substances, etc., by Fraud, Deceit or Forgery
- Pandering
- Pointing Laser at Law Enforcement
- Possession and Distribution of Flunitrazepam
- Possession and Distribution of Gamma-Butyrolactone or 1, 4 – Butanediol
- Possession and Distribution of Illegal Stimulants and Steroids
- Possession of Burglariou Tools, etc.
- Possession of Child Pornography
- Possession of Drugs (Felony) and Continue on Probation or Parole or Have Failed to Pay Required Court Costs
- Possession of Drugs (Felony) in the Five Years Prior to Application Date
- Possession of Infectious Biological Substances
- Production, Publication, Sale, Possession with Intent to Distribute, Financing, etc. of Sexually Explicit Items Involving Children
- Rape
- Reckless Endangerment
- Reckless Handling of Firearms; Reckless Handling While Hunting
- Robbery
- Sale of Drugs on or near Certain Properties
- Setting Fire to Woods, Fences, Grass, etc.
- Setting off Chemical Bombs Capable of Producing Smoke
- Setting Woods, etc. on Fire Intentionally Whereby Another is Damaged or Jeopardized
- Sexual Assault – Marital
- Sexual Battery
- Sexual Battery – Aggravated
- Sexual Battery – Infected
- Sexual Penetration – Object
- Shooting, etc. in Committing or Attempting a Felony
- Shooting, Stabbing, etc. with Intent to Maim, Kill, etc.
- Sodomy – Forcible
- Stalking (Felony)
- Taking, Detaining, etc. Person for Prostitution etc. or Consenting Therto
- Taking Indecent Liberties with Child by Person in Custodial or Supervisory Relationship
- Taking Indecent Liberties with Children
- Threats of Death or Bodily Injury
- Threats to Bomb or Damage Buildings or Means of Transportation; False Information as to Danger to Such Buildings, etc.

- Transporting Controlled Substances into the Commonwealth
- Use of a Machine Gun in a Crime of Violence
- Use of a Sawed-Off Shotgun in a Crime of Violence
- Use or Display of Firearm in Committing a Felony
- Voluntary Manslaughter

State Board of Nursing for South Carolina

Section VI: Administrative Denial of Licensure Statement

CRIMES THAT INVOLVE MORAL TURPITUDE

Arson: *State v. Yates*, 280 S.C. 29, 310 S.E.2d 805 (1982), vacated on other grounds, 474 U.S. 896 (1985).

Assault and battery, high and aggravated nature (ABHAN): See *State v. Bailey*, 275 S.C. 444, 272 S.E.2d 439 (1980), holding that whether ABHAN is deemed a crime of moral turpitude depends on the circumstances (probably would be a crime of moral turpitude where the ABHAN conviction resulted as a lesser included offense from an indictment of ABIK or Criminal Sexual Conduct).

Assault and battery with intent to kill: *State v. Spinks*, 260 S.C. 404, 196 S.E.2d 313 (1973); *Horton v. State*, 306 S.C. 252, 411 S.E.2d 223 (1991). **(2)):** Op. Att'y Gen. 7-26-83.

Assault with intent to commit criminal sexual conduct: Op. Att'y Gen. 10-29-81.

Assault with intent to kill: Op. Att'y Gen 12-29-80.

Auto theft: *State v. Millings*, 247 S.C. 52, 145 S.E.2d 423 (1965).

Bank robbery, accessory to: *State v. Gregg*, 230 S.C. 222, 95 S.E.2d 255 (1956).

Breach of trust with fraudulent intent: *In re Derrick*, 301 S.C. 367, 392 S.E.2d 180 (1990).

Bribe, law enforcement officer accepting: Op. Att'y Gen. 9-18-79.

Bribery (18 USC § 201 (b))

Burning lands of another, willful (§ 16-11-170): Op. Att'y Gen. 7-16-92

Burning untenanted or unoccupied building (§ 16-11-560): Op. Att'y Gen. 1-23-91.

Cocaine/marijuana, trafficking in: *In re Moseley*, 302 S.C. 429, 396 S.E.2d 830 (1990); *Green v. Hewett*, 305 S.C. 238, 407 S.E.2d 651 (1991).

Conspiracy to commit offense involving moral turpitude: Op. Att'y Gen. 3-11-88.

Contempt of court for jury tampering: Op. Att'y Gen. 1-24-83.

Controlled substance, possession with intent to distribute: *Porter v. State*, 290 S.C. 38, 348 S.E.2d 172 (1986) (even if sentenced as an accommodation sale).

Controlled substances, conspiracy to violate 21 USC § 812 and 21 USC § 841(a)(1) manufacture, distribution, dispensing controlled substances): Op. Att'y Gen. 4-24-81.

Crack cocaine, attempted possession: Op. Att'y Gen. 6-25-91.

Criminal sexual conduct with a minor, any degree: *State v. McFarlane*, 279 S.C. 327, 306 S.E.2d 611 (1983).

Embezzlement: Op. Att'y Gen. 7-23-81.

Extortion (18 USC § 1951): Op. Att'y Gen. 3-22-84.

False pretenses, obtaining property under: Op. Att'y Gen. 3-11-74.

Housebreaking: *State v. Van Williams*, 212 S.C. 110, 46 S.E.2d 665 (1948).

Marijuana, possession with intent to distribute: *State v. Lilly*, 278 S.C. MUSC College of Nursing VI - 4 2005-2006 Student Handbook 08-19-05

False representations, making/Certificate of Eligibility, Public Service Employment (18 USC § 1001): Op. Att'y Gen. 4-3-79.

False statement, making / concealing material facts on application for certificate of title or registration of motor vehicle: Op. Att'y Gen. 3-11-88.

False statement, making to federally insured financial institution (18 USC § 1014): Op. Att'y Gen. 6-13-89.

False statement, making to obtain unemployment benefits (§ 41-41-10): Op. Att'y Gen. 3-6-90.

False statement, making/willfully overvaluing security to influence action by Commodity Credit Corp. (18 USC § 1014): Op. Att'y Gen. 4-30-82.

False statement, on tax forms (26 USC § 7206 (1)): Op. Att'y Gen. 10-25-78.

Forgery: *State v. Johnson*, 271 S.C. 485, 248 S.E.2d 313 (1978)

Fraud through use of the United States mail (18 U.S.C. § 1341): *In the Matter of Parker*, Op. No. 23916 (S.C. Sup. Ct. filed Aug. 9, 1993) (Davis Adv. Sh. #21).

Fraudulent check, utterance of: *State v. Harrison*, 298 S.C. 333, 380 S.E.2d 818 (1989)

Furnishing false property tax receipt (§ 12-54-40): Op. Att'y Gen. 8-31-90.

Heroin, possession of: *In re Gibson*, 302 S.C. 12, 393 S.E.2d 184 (1990). **Hit and run driving:** *State v. Horton*, 271 S.C. 413, 248 S.E.2d 263 (1978).

Illegal drugs, sale/distribution of: *Merritt v. Grant*, 285 S.C. 150, 328 S.E.2d 346 (Ct. App. 1985); *Porter v. State*, 290 S.C. 38, 348 S.E.2d 172 (1986).

Jury tampering: Op. Att'y Gen. 3-2-82.

Larceny: *State v. Spinks*, 260 S.C. 404, 196 S.E.2d 313 (1973); *State v. Corn*, 215 S.C. 166, 54 S.E.2d 559 (1949); *State v. Van Williams*, 212 S.C. 110, 46 S.E.2d 665 (1948).

Larceny, conversion of property (15 USC § 741m(a), (c)): Op. Att'y Gen. 4-30-82.

Larceny, grand: *State v. Yates*, 280 S.C. 29, 310 S.E.2d 805 (1982), vacated on other grounds, 474 U.S. 896 (1985); *State v. Van Williams*, 212 S.C. 110, 46 S.E.2d 665 (1948).

Lewd act upon a child under age 14: Op. Att'y Gen. 10-29-81.

Mails, using to facilitate an act constituting a felony (21 USC § 841(a)(1) and 21 USC § 843(b)): Op. Att'y Gen. 7-17-79.

Malicious injury to personal property: *State v. Perry*, 294 S.C. 311, 364 S.E.2d 201 (1988).

Manufacturing illegal whiskey: *Gantt v. Coca-Cola Bottling Co.*, 204 S.C. 374, 29 S.E.2d 488 (1944).

Marijuana, conspiracy to possess with intent to distribute a Schedule I Controlled Substance (21 USC §§ 846 and 841(a)(1)): Op. Att'y Gen. 12-16-81.

Marijuana, criminal conspiracy to import: *Green v. Hewett*, 305 S.C. 238, 407 S.E.2d 651 (1991). 499, 299 S.E.2d 329 (1983); *State v. Drakeford*, 290 S.C. 338, 350 S.E.2d 391 (1986).

Misapplication of mortgage proceeds: *In re Pride*, 276 S.C. 363, 278 S.E.2d 774 (1981).

Motor vehicle, breaking into with intent to steal: *Rouse v. McCrory*, 291 S.C. 218, 353 S.E.2d 130 (1986).

Murder: *State v. Hyman*, 276 S.C. 559, 281 S.E.2d 209 (1981) (though conviction deemed too remote in time for impeachment):

Murder, solicitation to commit: *Whitehead v. State*, S.C., 417 S.E.2d 529 (1991).

Obstruction of justice by influencing grand jury: (18 USC § 1503): Ops. Att'y Gen. 2-26-86, 10-16-79.

Peeping tom: *State v. Harris*, 293 S.C. 75, 358 S.E.2d 713 (1987).

Rape: *State v. Lee*, 269 S.C. 421, 237 S.E.2d 768 (1977).

Receiving stolen goods: *State v. Millings*, 247 S.C. 52, 145 S.E.2d 422 (1965).

Resisting arrest (10 year statute): *State v. Hall*, 306 S.C. 293, 411 S.E.2d 441 (Ct. App. 1991) (may depend on circumstances of the case).

Robbery: *State v. Corn*, 215 S.C. 166, 54 S.E.2d 559 (1949).

Shoplifting: Op. Att'y Gen. 3-19-90.

Using official position for personal financial gain (old § 8-13-410): Ops. Att'y Gen. 2-1-80, 3-20-91.

Vote buying, conspiracy (42 USC § 1973i(c)): Op. Att'y Gen. 2-5-81.

CRIMES THAT DO NOT INVOLVE MORAL TURPITUDE

Bookmaking: *State v. Morris*, 289 S.C. 294, 345 S.E.2d 477 (1986).

Breach of the peace: *State v. LaBarge*, 275 S.C. 168, 268 S.E.2d (1980).

Carrying a pistol: *State v. Spinks*, 260 S.C. 404, 196 S.E.2d 313 (1973).

Disorderly conduct: *State v. LaBarge*, 275 S.C. 168, 268 S.E.2d (1980).

Driving under suspension/ habitual offender adjudication: Op. Att'y Gen. 8-13-84

Driving under the influence, first offense: *State v. Hall*, 306 S.C. 293, 411 S.E.2d 441 (Ct. App. 1991).

Driving under the influence, third offense: Op. Att'y Gen. 8-13-84.

Driving without a license: *State v. LaBarge*, 275 S.C. 168, 268 S.E.2d 278 (1980).

Escape from jail: *Taylor v. State*, 258 S.C. 369, 188 S.E.2d 850 (1972).

Lottery, setting up/selling tickets/ conspiracy to set up: Op. Att'y Gen. 3-18-83.

Manslaughter: *Taylor v. State*, 258 S.C. 369, 188 S.E.2d 850 (1972); *State v. McFarlane*, 279 S.C. 327, 306 S.E.2d 611 (1983); *Mitchell v. State*, 298 S.C. 186, 379 S.E.2d 123 (1989), holding that a manslaughter conviction in New York was inadmissible to impeach defendant as crime of first degree manslaughter in New York has the same elements as voluntary manslaughter in South Carolina, noting that in South Carolina manslaughter is not a crime of moral turpitude.

Manslaughter, involuntary: *Liberty Mutual Ins. Co. v. Gould*, 266 S.C. 521, 224 S.E.2d 715 (1976).

Marijuana, simple possession. *State v. Lilly*, 278 S.C. 499, 299 S.E.2d 329 (1983); *State v. Drakeford*, 290 S.C. 338, 350 S.E.2d 391 (1986).

Pointing a firearm (§ 16-23-410). Op. Att'y Gen. 2-12-91.

Possession of an unlawful weapon: *State v. LaBarge*, 275 S.C. 168, 268 S.E.2d 278 (1980).

Public drunkenness: *State v. LaBarge*, 275 S.C. 168, 268 S.E.2d 278 (1980).

Resisting arrest (one year statute) *State v. Hall*, 306 S.C. 293, 411 S.E.2d 441 (Ct. App. 1991).

Resisting arrest, non-violent (§ 16-9-320(a)) Op. Att'y Gen. 2-12-91.

Stimulant drugs, possession of without prescription: *State v. Carriker*, 269 S.C. 553, 238 S.E.2d 678 (1977).

Trespassing: *State v. LaBarge*, 275 S.C. 168, 268 S.E.2d 278 (1980).

CRIMES THAT MAY INVOLVE MORAL TURPITUDE

Assault and battery, high and aggravated nature: See *State v. Bailey*, 275 S.C. 444, 272 S.E.2d 439 (1980).

Conspiracy—may involve moral turpitude if conspiracy contains fraud, deceit, misrepresentation or other crime involving moral turpitude: *State v. Horton*, 271 S.C. 413, 248 S.E.2d 263 (1978); Op. Att'y Gen. 3-18-86.

Contempt of court—look at specific grounds for conviction: *State v. Bailey*, 275 S.C. 444, 272 S.E.2d 439 (1980); Ops. Att'y Gen. 3-18-86, 3-2-82.

Misconduct in office/official misconduct (§ 8-1-80): Op. Att'y Gen. 5-5-83.

Mistreatment of a child (§ 20-7-60)—look at facts alleged in indictment: Op. Att'y Gen. 4-30-91.

Resisting arrest with force (§ 16-9- 320(b)): Op. Att'y Gen. 2-12-91.

AAPC CRIMINAL BACKGROUND CHECK SURVEY RESULTS

August 2006

N = 63 pharmacy degree institutions

Does your institution currently have a criminal background check policy for professional pharmacy degree students?

Yes	63.4%
No	28.5%
Not sure	7.9%

When do most professional pharmacy degree students at your institution complete their FIRST criminal background check?

Currently, no CBCs at any time.	11.1%
Prior to offer of admission.	0.0%
After offer of admission.	33.3%
During the P1 year.	17.4%
Prior to or during the P2 year.	3.1%
Prior to or during the P3 year.	4.7%
Prior to or during the P4 (or final) year.	11.1%
Other (describe):	19.0%

What entity drove or mandated the development of a criminal background check (CBC) process for the pharmacy degree students at your institution?

Not applicable.	20.6%
Experiential site(s) as a result of JCAHO requirements.	63.4%
Central university administration.	1.5%
Pharmacy college or school.	11.1%
Other health profession programs within the institution.	3.1%
State legislature.	1.5%
State board of pharmacy.	4.7%
Other (describe):	6.3%

How frequently do most pharmacy degree students complete a CBC at your institution?

Never.	9.5%
Varies significantly.	12.6%
One (1) time.	28.5%
Twice (2).	22.2%
Once PER YEAR during the Pharm.D. degree program.	9.5%
Multiple times PER YEAR during the P4 (or final) year.	1.5%
Multiple time PER YEAR, every year during the Pharm.D. degree program.	0%
Other (describe):	15.8%

Approximately what percent of your hospital, community, and other experiential sites currently require your students to complete a CBC?

1) hospital pharmacy sites

100 percent	15.8%
75-99 percent	22.2%
50-74 percent	14.2%
25-49 percent	11.1%
10-24 percent	12.6%
5-9 percent	1.5%
Less than 5 percent	17.4%
None	4.7%

2) community pharmacy sites

100 percent	3.1%
75-99 percent	4.7%
50-74 percent	6.3%
25-49 percent	1.5%
10-24 percent	6.3%
5-9 percent	9.5%
Less than 5 percent	28.5%
None	39.6%

3) other

100 percent	3.1%
75-99 percent	4.7%
50-74 percent	4.7%
25-49 percent	3.1%
10-24 percent	12.6%
5-9 percent	7.9%
Less than 5 percent	31.7%
None	31.7%

What CBC vendor do you currently use? Leave the field blank, if it is not applicable. If your institution uses multiple vendors, separate each with a comma.

- Acxiom
- Adam Safeguard
- ADP (2 respondents)
- Applicant Insight
- Castle Branh, Inc. (3 respondents)
- Certified Background (4 respondents)
- Employee Screening Services
- FBI (3 respondents)
- Five Star Detective Agency in Illinois
- Florida Department of Law Enforcement
- Group One
- Indiana State Police Limited Criminal History Check
- Lifescan
- Louisiana State Police
- my background check
- NAPS

- Oklahoma State Bureau of Investigation (2 respondents)
- One Source
- OSU Medical Center who uses the WebCheck through Ohio Attorney General's office.
- Police Department of Puerto Rico
- Screenpointe
- State Board of Pharmacy
- State Department of Criminal Investigation
- State Highway Patrol
- Utah BCI
- Validity-formerly Clarence Kelly & Associates (2 respondents)
- Verified Credentials (5 respondents)
- Washington State Patrol (2 respondents)
- WV state police

Which criminal background checks are your pharmacy degree students required to complete?

Certification & Designations Check:	U.S. 20.6%, Non-U.S. 12.6%
County-By-County Check:	U.S. 44.4%, Non-U.S. 22.2%
Credit History Report:	U.S. 12.6%, Non-U.S. 6.3%
Education Verification:	U.S. 7.9%, Non-U.S. 6.3%
Employment Verification:	U.S. 14.2%, Non-U.S. 6.3%
Federal Bureau of Investigations:	U.S. 20.6%, Non-U.S. 11.1%
Federal Criminal Court Search:	U.S. 25.3%, Non-U.S. 19.0%
Federal Wanted Persons Search:	U.S. 9.5%, Non-U.S. 7.9%
GSA List of Parties Excluded from Federal Programs:	U.S. 25.3%, Non-U.S. 14.2%
Healthcare Sanctions/Adverse Actions Check:	U.S. 9.5%, Non-U.S. 6.3%
HHS/OIG List of Excluded Individuals/Entities:	U.S. 36.5%, Non-U.S. 15.8%
Immigration and Naturalization Service Verification of Residency Status:	U.S. 6.3%, Non-U.S. 14.2%
Interpol Fugitives Wanted List:	U.S. 3.1%, Non-U.S. 6.3%
Liens, Judgments, and Bankruptcy Search	U.S. 1.5%, Non-U.S. 1.5%
Motor Vehicle Driving Records	U.S. 23.8%, Non-U.S. 11.1%
Nationwide Criminal Background Check	U.S. 44.4%, Non-U.S. 26.9%
Nationwide Healthcare Fraud and Abuse Scan:	U.S. 15.8%, Non-U.S. 11.1%
Patriot Act / Terrorist Watch List:	U.S. 17.4%, Non-U.S. 11.1%
Professional Disciplinary Action Search:	U.S. 9.5%, Non-U.S. 3.1%
Professional License Verification:	U.S. 14.2%, Non-U.S. 3.1%

How are the CBC expenses paid?

Not applicable.	12.6%
Student pays the CBC vendor.	49.2%
Student pays a separate CBC fee directly to school.	6.3%
Student pays a CBC fee that is BUNDLED with school tuition/fees.	11.1%
Student pays a CBC fee to the practice site.	1.5%
Pharmacy school covers student CBC-related expenses.	6.3%
Practice site pays the CBC vendor.	1.5%
Other (describe)	11.1%

**Who receives the original CBC report DIRECTLY from the vendor or source?
Check all that apply.**

Pharmacy student.	36.5%
Experiential sites.	17.4%
Pharmacy college or school.	49.2%
Central university administration.	4.7%
State board of pharmacy.	9.5%
Other (list):	12.6%

Would or does the institution share any student-specific CBC results with other individuals or entities? Check all that apply. If none, leave the boxes blank.

Campus health clinic.	0.0%
Campus housing.	0.0%
Campus security.	1.5%
Dean's office.	25.3%
Experiential sites.	31.7%
Financial aid office.	0.0%
Student counseling center.	0.0%
Substance abuse counseling center.	0.0%
State government.	0.0%
State board of pharmacy.	1.5%
Other (briefly describe):	14.2%