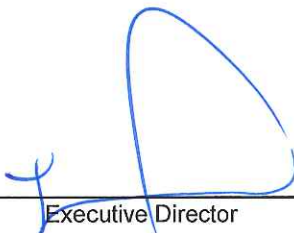

Chapter: **DIRECTLY-OPERATED PROGRAM MANAGEMENT**
Title: **CRIMINAL RECORD CHECKS OF EMPLOYEES / INDEPENDENT CONTRACTORS**
See also MCCMH MCO Policy 10-070, "Credentialing."

Prior Approval Date: 11/20/12
Current Approval Date: 3/22/17

Approved by: _____


Executive Director


Date

I. Abstract

This policy establishes standards and procedures for Macomb County Community Mental Health (MCCMH) conduct of criminal record checks of all employees and independent contractors through the Macomb County Human Resources Department.

II. Application

This policy applies to all persons who are selected to be interviewed for employment positions or contract services at MCCMH, and for employees and independent contractors of MCCMH seeking re-credentialing.

III. Policy

It is the policy of the MCCMH Board to safeguard the consumers, employees, independent contractors, volunteers, interns, and the public who use or visit MCCMH facilities by requiring all employees and independent contract providers to submit to the satisfactory completion of a criminal record check prior to a written confirmation of employment or contract, and as part of the re-credentialing process.

IV. Definitions

A. Criminal Background Check

A check of police records by the Michigan State Police for criminal convictions for which a pardon has not been granted, records of outstanding/pending criminal charges of which the Michigan State Police is aware or can disclose, probations, prohibitions, or other judicial orders (such as restraining orders) in effect. Criminal record checks are conducted by the Macomb County Human Resources Department pursuant to procedures approved by the County of Macomb.

- B. Satisfactory Criminal Record Check
An applicant for employment or independent contract services, or an employee or independent contractor seeking re-credentialing, is revealed to have no police record, criminal convictions for which a pardon has not been granted, outstanding/pending criminal charges, probations, prohibitions, or other judicial orders in effect, as verified by the Macomb County Department of Human Resources.

V. Standards

- A. The MCCMH Board requires a satisfactory criminal record check as one component of the employment and contract consideration process and it is viewed as a condition for employment or contract service, and for re-credentialing, at MCCMH.
- B. Employment or contract services and re-credentialing shall be contingent upon the receipt of results of the criminal record check satisfactory to the Macomb County Human Resources Department and the MCCMH Board. All information obtained from any criminal record check shall be kept confidential.
- C. Extenuating circumstances may be considered by the Macomb County Human Resources Department and the MCCMH Board when an applicant for employment or contract services or re-credentialing does not receive a satisfactory criminal record check.
- D. The final decision regarding whether to exclude the individual from employment or contract services or re-credentialing at MCCMH will place primary emphasis on the safety and security of MCCMH consumers, employees, independent contractors, volunteers, interns, and visitors.
- E. Any costs incurred relating to the application, completion, and submission of a criminal record check shall be the responsibility of Macomb County.
- F. A satisfactory criminal record check needs to be repeated every two years at the point of re-credentialing, in accordance with MCO Policy 10-070, "Credentialing." The criminal record check shall be conducted by the Macomb County Human Resources Department pursuant to procedures approved by the County of Macomb.

VI. Procedures

- A. Employees or independent contractors shall be notified of the criminal record check requirement via the position posting, or prior to the interview for contract services, or prior to re-credentialing.

- B. Employees and independent contractors shall complete the required information on the MCCMH Employee / Independent Contractor Request for Criminal Record Check Authorization form (Exhibit A).
- C. Each completed Criminal Record Check Authorization form shall be forwarded to the MCCMH Chief of Staff for authorization signature.
- D. The MCCMH Personnel Clerk shall keep a copy of the MCCMH Employee or Independent Contractor Criminal Record Check Authorization and forward the original to the Macomb County Human Resources Department.
- E. The Macomb County Human Resources Department shall send the information from the MCCMH Employee Criminal Record Check Authorization or the Independent Contractor Criminal Record Check Authorization to the Michigan State Police, or other credible source as determined by the County of Macomb, obtain the results, and notify the MCCMH Chief of Staff whether the person can be offered employment or a contract for services, or be re-credentialed.
- F. The Chief of Staff shall notify the interviewer(s) whether the individual(s) may be offered employment or a contract for services, or shall notify the MCCMH Clinical Strategy & Clinical Improvement (CSI) Division Director or Designee, when there is an issue with re-credentialing.
- G. For the re-credentialing of staff, the procedures of MCO Policy 10-070, "Credentialing," shall be followed, namely, that every two years (at the point of re-credentialing), the CSI Division Director or Designee will notify the MCCMH Chief of Staff 90 days prior to the re-credentialing date of each staff person and forward the authorization form to the employee/independent contractor, who shall submit the signed form to the MCCMH Chief of Staff. The Chief of Staff shall notify the Macomb County Human Resource Department to do a re-check of the criminal conviction record for each staff person.
- H. Any subsequent inquiries from the employee or contract service applicant / provider shall be directed to the Macomb County Human Resources Department.

VII. References / Legal Authority

- A. Commission on Accreditation of Rehabilitation Facilities (CARF) Standards Manual
- B. MCO Policy 10-070, "Credentialing"

VIII. Exhibits

- A. Macomb County Human Resources Department Employee / Independent Contractor Criminal Record Check Authorization