

Quality Patient Care Begins with Quality Employees

Employment screening program considerations for healthcare providers

Executive Summary

For healthcare providers, employees are their biggest asset, but can also be their biggest liability. The ability to provide quality healthcare begins with the ability to quickly and confidently identify and hire the most qualified employees. It's a challenge within the healthcare provider field that gets even more difficult when complying with complex industry regulations regarding hiring and retention.

Fortunately, specialized background screening is now available to healthcare providers to help them more easily address regulatory requirements and quickly focus their hiring resources on the most qualified individuals. An organization that has a high level of screening expertise coupled with the proper credentialing certification can help streamline the process even further. However, properly vetting a prospective employment screening provider includes certifying it can deliver the highest level of healthcare industry expertise, quality data, advanced technology and knowledgeable guidance around compliance.

To provide healthcare executives and compliance officers with fresh insight on important considerations and best practices involved with developing an efficient and effective employment screening solution, this white paper examines:

- Why employment screening matters
- Key employment screening program considerations
- Recommendations for reducing risk

Talent Screening Challenges in the Healthcare Industry

In the healthcare industry, where millions of patients put their lives in the hands of trusted caregivers every day, the importance of background screening goes far beyond cost, compliance and legal liability issues. It can be a matter of life and death.



It is the duty and responsibility of healthcare organizations to do everything possible to ensure and protect patient safety and privacy. Unlike most industries, the clients (i.e., patients) of healthcare organizations are considered to be "at risk," which means they are often vulnerable and unable to protect themselves against physical, mental or financial abuse. Employment screening helps healthcare organizations protect these people by placing only well-vetted employees in positions with direct and indirect access to patients and their personal information.

The most prevalent safety and security issues with the healthcare industry that underscore the importance of nationwide background screening are listed below.

- Lack of nationwide healthcare practitioner oversight

Today's healthcare industry sees many well-travelled healthcare practitioners, usually due to their medical training at multiple schools and hospitals, and from reciprocating state license practices. Some states permit medical professionals licensed in other states to practice healthcare. However, since there is no centralized nationwide oversight of licensed healthcare practitioners, a medical practitioner sanctioned in one state can sometimes move to another state and the sanction is undetectable in the new state.

Take the real-life case of Craig Peske. He was fired from a hospital nursing job in Wisconsin in 2007, for stealing drugs, according to an article in USA TODAY. Peske was reported to state nursing regulators and later charged with six felony counts of narcotics possession. But, by that time he had moved to North Carolina and—due in part to the "active" status of his nursing license—managed to get a job as traveling nurse at a local hospital.

To avoid this type of employee-related risk, healthcare organizations should, at a minimum, screen the professional history of all practitioners and healthcare workers, using a comprehensive nationwide sanctions search. Employment screening providers with expertise in the healthcare industry offer these searches and can help organizations develop specialized background check packages that address job-specific risk.

- Increased mobility of healthcare workers with a criminal history

Today, people are more mobile than ever. According to recent internal statistics from First Advantage Screening Solutions, one out of five criminal records identified using the First Advantage National Criminal File database were from states outside the search subject's reported current state of residence. It's just too easy for individuals with a criminal past in one state—a history that would restrict or prevent their future employment—to pack up and move to another state and look for work. Healthcare workers are no exception.

Mobile workers means expanded searches may be necessary

20% of criminal records identified using the First Advantage National Criminal File database were from states outside the search applicant's reported current state of residence.

– Internal statistics from First Advantage Screening Solutions from 7/31/2009 through 7/31/2010.



Consider the case of healthcare nurse Charles Cullen. He confessed in 2003 to murdering up to 40 patients in hospitals in Pennsylvania and New Jersey despite having a long history of mental illness and being fired at least five times from previous healthcare facilities.

While the Cullen case is extreme, employment screening can quickly detect a poor work history that could indicate a threat to patient safety, which helps healthcare providers dramatically reduce a variety of risk including physical, financial, reputational and legal.

- Increased vulnerability of sensitive private information

With the increased use of electronic and Web-based tools for capturing and storing the private information of patients, candidates and employees, it is critical that healthcare organizations are vigilant about data security.

According to the Identify Theft Resource Center's 2010 Data Breach Stats as of July 27, 2010, 113 data breaches occurred in 2010 at medical and healthcare organizations, accounting for 29 percent of all data breaches across multiple industries in 2010. Most incidents involve the personal data and protected health information of patients, compromised as a result of a stolen or lost laptop.

When considering a background screening provider, especially a system-to-system integration between an HR application and a background screening solution, data security is particularly important. Healthcare organizations should ensure their employment screening solution offers multiple levels of user access, allowing only authorized users to view the sensitive personal information of candidates. Also, healthcare organizations should inquire about a screening provider's data security protocols, specifically how they protect data that is electronically transferred and stored.

Overall, the best strategy for mitigating a multitude of evolving risk issues is to work with a qualified employment screening provider—one that offers deep expertise within the healthcare industry, and specialized tools that help healthcare providers adequately balance and address all areas of program vulnerability including cost, compliance, legal liability, safety and privacy.

High price of healthcare fraud

- Healthcare fraud collectively costs Americans between \$60 billion and \$100 billion a year¹, according to estimates from the National Healthcare Anti-Fraud Association (NHCA).
- Approximately 3 percent of all healthcare spending—or \$68 billion—is lost to healthcare fraud², according to conservative NHCAA estimates.
- Other estimates by government and law enforcement agencies place the loss due to healthcare fraud as high as 10 percent of our nation's annual healthcare expenditure, a staggering \$226 billion each year.³



Should I Screen My Own Staff?

Driven by concerns around costs, internal limitations, technology requirements or other program complexities, many healthcare organizations make the mistake of internally screening employees without the help of an experienced screening provider. This strategy poses many inherent compliance-related risks, specifically regarding:

- State-level privacy legislation, which varies from state to state
- Consumer rights

Background checks are complicated, and screening health care employees without the expertise of a screening organization could ultimately expose organizations to more litigation than not screening at all. If done in-house, an organization would need to have well-trained and dedicated employees with knowledge about and access to appropriate resources as well as an understanding of the security and privacy laws surrounding the handling of sensitive personal data of applicants. Using a qualified screening partner will often produce more complete and accurate information, as well as make navigating the complex screening regulations for both federal and state, monitoring industry best practices, tracking changes to primary source information, and securely storing all candidate results a much less daunting task for healthcare organizations.

Key Employment Screening Program Considerations

While healthcare organizations perform background checks for a variety of reasons, they all demand: 1) high quality results that meet today's strict compliance requirements; 2) a secure report ordering and delivery method that offers the utmost protection of job candidates' personal information; and 3) a comprehensive product offering that applies specifically to the healthcare industry.

The following issues should be considered when developing a screening program.

- Regulatory Updates

The first and most important key to healthcare screening is selecting a vendor that can help you be aware of the complex healthcare regulatory landscape. Without clear federal guidelines, the individual states are left to dictate healthcare screening policies. This has resulted in 50 different policies and a highly complex environment for large, multi-state healthcare organizations.

Work with a screening vendor that understands and monitors healthcare regulations and can provide updates to these regulations to support your organizational needs. Healthcare organizations must always consult with their legal team on these matters; however, an experienced screening provider can help increase awareness around evolving legislative and regulatory issues.



- Comprehensive and Accurate Results

To ensure optimal data quality and accuracy, the background screening information delivered to an organization should come from the best possible resource—the primary source. This means the data used in the background report was collected from the originating source of information. Understand how the data in the screening reports is collected and compiled. For example:

- Is the data included in the national criminal records database purchased from a third-party data aggregator, as opposed to being directly collected from the courts and other local, state and federal government repositories?
- Are education verifications conducted with the educational institution, as opposed to simply confirming educational background with the previous employer or a professional reference?

- Program Compliance

A successful employment screening program must comply with the many regulatory guidelines imposed on healthcare providers. In addition to state regulatory guidelines, compliance with the Fair Credit Reporting Act (FCRA) and applicable state FCRA guidelines is critical.

When developing a screening program, it is crucial to work with a background screening partner that has demonstrated an understanding of these diverse regulations and can clearly articulate how it will support an organization’s compliance with them.

- Report Ordering and Delivery

While many screening vendors provide online access to criminal databases, it’s important to consider their ability to integrate the results into an existing human resource (HR) application—particularly an Applicant Tracking System (ATS) or Human Resource Information System (HRIS).

This type of system integration essentially pre-populates the background screening request with candidate data entered early in the hiring process, eliminating the need for duplicate data entry. Automating this important part of the screening process drastically reduces data entry errors which improves result accuracy, and speeds up the hiring process.

- Comprehensive Healthcare-Specific Offering

Background screening in the healthcare industry often requires unique searches that do not apply to other industries. Whether that means verifying professional credentials and licensure, or fulfilling requirements for a General Services Administration (GSA) search or Fraud and Abuse Control Information System (FACIS) search, access to industry specific screening tools is vital to successful employment screening within healthcare.

Work with an employment screening provider that offers easy, consolidated access to all fundamental screening products such as verifications and criminal searches, in addition to industry specific background checks, drug testing and medical compliance services such as immunizations.



- A Better Candidate Experience

Organizations enhance the candidate experience when they make it easier and more appealing for job candidates to interact with their organization.

One way healthcare firms are creating this experience is by using innovative technologies to automate the outdated and time-consuming processes of manually completing applications and related paperwork. Now, through sophisticated technologies such as applicant tracking systems and online candidate data capture, candidates can quickly and easily search for and find career opportunities via the Internet and submit job applications and resumes online from the convenience of their homes. This empowers organizations to:

- Attract higher quality job candidates
- Accelerate the hiring cycle
- Quickly hire the most qualified candidates before they accept an offer from another firm

- Contractor Screening

Healthcare organizations often contract with outside companies for services, which can range from housekeeping, to construction work, to home healthcare. Although these individuals may not be employed directly by the healthcare organization, the employer can ultimately be held responsible for their actions under negligent liability.

Knowing these people are adequately screened according to the same guidelines as an organization's own employees is essential to promoting a safer, more secure environment for patients and reducing the legal liability of healthcare providers.

If an organization utilizes contract workers, it should be sure its employment screening program includes a reliable contractor screening solution. Work with a provider that offers this service, in addition to other required screening services for the most streamlined hiring and screening program.

- Cost-Cheaper is Not Necessarily Better

Considering the complexities surrounding how the data in a background check is gathered and can be used, it is important that healthcare organizations take the time to compare vendors to ensure they are getting reliable service. The cheapest background check is not always the best, especially if an organization is trying to build a best-in-class hiring program. For example, with criminal database searches, here are a few questions to consider when cost is a factor:

- When a matching criminal record is identified, is additional research performed to ensure the most complete, up-to-date data is reported?
- Are there any reporting filters in place to ensure that only data related to the search subject is reported, not pages of unrelated information?



Recommendations for Reducing Risk

An efficient, thorough employment screening process that includes leading-edge technology can, above all else, help reduce overall workplace risk within the healthcare industry.

Identifying risk early, prior to hiring an employee, protects organizations from risk related to:

- Physical safety
- Financial security
- Organizational reputation
- Legal liability and compliance

In addition to the previously mentioned program considerations, below are key recommendations from First Advantage for reducing employment-related risk in the healthcare industry.

Healthcare Issue	First Advantage Screening Solutions Best Practice Recommendation	Proof
<p>Healthcare employers want to:</p> <ul style="list-style-type: none"> • Comply with state and federal hiring privacy laws. 	<p>First Advantage offers employers:</p> <ul style="list-style-type: none"> • First Advantage Healthcare Screening Regulatory Matrix, a regularly updated listing of state-based healthcare screening regulations. • Compliance with the FCRA and FACT Act, using advanced workflows that automatically distribute applicable reports and related documentation to candidates, as required by law. 	<p>The First Advantage legal team ensures our processes and tools legally comply with state and federal laws.</p>
<p>Healthcare employers want to:</p> <ul style="list-style-type: none"> • Screen their professional employees. 	<p>First Advantage healthcare license and credential verifications can confirm professional licenses, credentials and certifications, and report upcoming expiration dates and any restrictions.</p> <p>First Advantage is a certified Credentials Verification Organization (CVO) by the NCQA. Our solutions help you meet credentialing standards set forth by The Joint Commission and the National Committee for Quality Assurance (NCQA), as well as state and federal laws such as the Fair Credit Reporting Act (FCRA) and the Fair and Accurate Credit Transactions Act (FACT Act)</p>	<p>Healthcare employers can successfully screen the credentials of their current staff, and reduce the liability and risk of employing non-licensed professionals.</p>
<p>Healthcare employers want to:</p> <ul style="list-style-type: none"> • Verify contractor background screening compliance. 	<p>The First Advantage Contractor Screening portal offers healthcare organizations an easy method of managing their contractors. It provides instant program visibility, giving employers the ability to login to their site to manage compliance online, in real time.</p>	<p>Healthcare employers can:</p> <ul style="list-style-type: none"> • View/download contractor results (compliant/non-compliant). • Feel confident their screening results are scored to their unique program standards.



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At First Advantage, we help you find the insights that will lead you to the right people, and give you the information to build a foundation for trust. This trust begins with the true insights that reduce your risk while dramatically improving the quality of your talent and the reliability of your renters.

Sources

- ¹ Federal Bureau of Investigation's 2007 article on Healthcare Fraud, http://www.fbi.gov/page2/july07/health_care072007.htm
- ² National Healthcare Anti-Fraud Association, http://www.nhcaa.org/eweb/DynamicPage.aspx?webcode=anti_fraud_resource_centra&wpscode=TheProblemOfHCFraud
- ³ Federal Bureau of Investigation, Financial Crimes Report to the Public, Fiscal Year 2007, http://www.fbi.gov/publications/financial/fcs_report2007/financial_crime_2007.htm

