



POLICY NO:	210
DATE ISSUED:	6/2002
DATE REVIEWED/REVISED:	7/2007
DATE TO BE REVIEWED:	7/2010

EMERGENCY MEDICAL SERVICES

EMS BACKGROUND CHECK

Purpose: To provide a method to ascertain the criminal background history of persons applying for certification as EMS Pre-hospital care personnel in Santa Barbara County.

Authority: Health and Safety Code, Division 2.5, Section 1798.200. California Code of Regulations, Title 13, Section 1101.

Policy:

- A. All applicants for Santa Barbara County EMT-1 certification shall complete a California Bureau of Criminal Identification background check, including fingerprinting, as a condition of initial EMT-1 certification, or EMT-1 re-certification in Santa Barbara County.
- B. Santa Barbara County EMS shall contract with the California Bureau of Criminal Identification for subsequent arrest notification.
- C. Criteria in Health and Safety Code Section 1798.200 and California Code of Regulations, Title 13, Section 1101 et al shall be used to determine whether certification is given or denied based upon the results of the background check:
 - (1) Fraud in the procurement of any certificate or license under this division.
 - (2) Gross negligence.
 - (3) Repeated negligent acts.
 - (4) Incompetence.
 - (5) The commission of any fraudulent, dishonest, or corrupt act, which is substantially related to the qualifications, functions, and duties of prehospital personnel.

APPROVED:

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Nancy A. Lapolla, EMS Director

Handwritten signature of Angelo Salvucci in blue ink.

Angelo Salvucci, MD, EMS Medical Director

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- (6) Conviction of any crime, which is substantially related to the qualifications, functions, and duties of prehospital personnel. The record of conviction or certified copy of the record shall be conclusive evidence of the conviction.
 - (7) Violating or attempting to violate directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this division or the regulations adopted by the authority pertaining to prehospital personnel.
 - (8) Violating or attempting to violate any federal or state statute or regulation, which regulates narcotics, dangerous drugs, or controlled substances.
 - (9) Addiction to the excessive use of, or the misuse of, alcoholic beverages, narcotics, dangerous drugs, or controlled substances.
 - (10) Functioning outside the supervision of medical control in the field care system operating at the local level, except as authorized by any other license or certification.
 - (11) Demonstration of irrational behavior or occurrence of a physical disability to the extent that a reasonable and prudent person would have reasonable cause to believe that the ability to perform the duties normally expected may be impaired.
 - (12) Unprofessional conduct exhibited by any of the following:
 - a. The mistreatment or physical abuse of any patient resulting from force in excess of what a reasonable and prudent person trained and acting in a similar capacity while engaged in the performance of his or her duties would use if confronted with a similar circumstance. Nothing in this section shall be deemed to prohibit an EMT-I, EMT-II, or EMT-P from assisting a peace officer, or a peace officer who is acting in the dual capacity of peace officer and EMT-I, EMT-II, or EMT-P, from using that force that is reasonably necessary to effect a lawful arrest or detention.
 - b. The failure to maintain confidentiality of patient medical information, except, as disclosure is otherwise permitted or required by law in Sections 56 to 56.6, inclusive, of the Civil Code.
 - c. The commission of any sexually related offense specified under Section 290 of the Penal Code.
- E. Specific cases where denial is strongly indicated:
1. The applicant is required under Section 290 of the Penal Code to register as a sex offender for any offense involving force, duress, threat, or intimidation.
 2. The applicant habitually or excessively uses or is addicted to narcotics, dangerous drugs, or alcohol, or has been convicted during the preceding seven years of any offense relating to the use, sale, possession, or transportation of narcotics or addictive or dangerous drugs.
 3. The applicant has been convicted during the preceding seven years of any offense punishable as a felony and involving force, violence, threat, or intimidation, or has been convicted of theft during that period.
 4. The applicant has knowingly falsified or failed to disclose a material fact in his/her application.
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5. The applicant is found to have more than one misdemeanor within the preceding seven years on record that is substantially related to the qualifications, functions, and duties of prehospital care personnel.

Procedure:

- A. All applicants for certification or accreditation shall contact a local Law Enforcement Agency for the Live Scan fingerprinting procedure. The fee (cash) for Live Scan is paid directly to the Law Enforcement Agency. The applicant must send the applicable fee in check or money order to:

California Department of Justice
Applicant Expedite Service
P. O. Box 903347
Sacramento, CA 94203-3470

This procedure applies to all persons applying for initial California EMT-1 certification in Santa Barbara County or EMT-1 re-certification in Santa Barbara County after February 1, 2002. The Live Scan background check is a one-time process for certified EMT-1 personnel in Santa Barbara County.