

Criminal Background Consent/Condition Offer

I hereby acknowledge that I have been given a good faith offer of employment, privileges, or contract with the Medical Care Facility and Rehabilitation Services of Ingham County. I understand and agree that the good faith offer of employment, privileges or contract, is conditioned upon the organization's ability to successfully establish eligibility for employment, independent contract or clinical privileges on a timely basis. Accordingly, I hereby consent to the Employer conducting a criminal history check on me that includes but is not limited to the review and obtainment of State Police records, fingerprints and an FBI background check.

I further understand that this conditional offer is also conditioned upon my full cooperation with the production of acceptable personal identification, obtainment of signed releases, consent forms, criminal history records, fingerprints and the obtainment of any other information required by policy or law. I also agree to provide personal identification acceptable to the Michigan State Police. Failure to comply fully with these requirements within a reasonable period will result in the automatic withdrawal of this offer.

However, prior to receiving all of the results of the state and national criminal history background report, I make the following representations while this information is obtained and analyzed:

1. I swear under penalty of law that I have not been convicted of a felony or misdemeanor, described under MCL 333.20173a (See Attached), within the applicable time period that makes me ineligible, by law, to work for the Employer. I have reviewed the attached list of felonies and misdemeanors prior to making this representation.
2. I am not the subject of an order or disposition relating to findings of not guilty by reason of insanity.
3. I have not been the subject of a substantiated finding of neglect, abuse, or misappropriation of property by a state or federal agency pursuant to an investigation arising in a skilled nursing facility.

I understand that if the above representation contradicts the result of the state and national criminal history background report(s), my employment, privileges, or contract will be terminated and that I may be subject to criminal penalties. I further agree that if this results in a period of unemployment, suspension, or leave of absence, it will be without compensation and without fringe benefits. I understand that the conditions set forth in this Agreement are in fact good cause for termination.

Print Name

Signature

Date

Attachment

Prohibited Convictions and Offenses

- (a) Any relevant crime described under 42 USC 1320a-7. These crimes include, but are not limited to, the following:
 - (i) Medicaid or Medicare related crimes;
 - (ii) Convictions related to patient abuse;
 - (iii) Felony convictions related to health care fraud;
 - (iv) A criminal offense consisting of a felony relating to the unlawful manufacture, distribution, prescription, or dispensing of a controlled substance.

- (b) Any of the following felonies, an attempt or conspiracy to commit any of those felonies, or any other state or federal crime that is similar to the felonies described in this subdivision, other than a felony for a relevant crime described under 42 USC 1320a-7, unless 15 years have lapsed since the individual completed all of the terms and conditions of his or her sentencing, parole, and probation for that conviction prior to the date of application for employment or clinical privileges or the date of the execution of the independent contract:
 - (i) A felony that involves the intent to cause death or serious impairment of a body function that results in death or serious impairment of a body function that involves the use of force or violence, or that involves the threat of the use of force or violence.
 - (ii) A felony involving cruelty or torture.
 - (iii) A felony under chapter XXA of the Michigan penal code, 1931 PA 328, MCL 750.145m to 750.145r, which are crimes against a vulnerable adult.
 - (iv) A felony involving criminal sexual conduct.
 - (v) A felony involving abuse or neglect.
 - (vi) A felony involving the use of a firearm or dangerous weapon.
 - (vii) A felony involving the diversion or adulteration of a prescription drug or other medications.

- (c) Any felony or an attempt or conspiracy to commit a felony, other than a felony for a relevant crime described under 42 USC 1320a-7 or a felony described under subdivision (b), unless 10 years have lapsed since the individual completed all of the terms and conditions of his or her sentencing, parole, and probation for that conviction prior to the date of application for employment or clinical privileges or the date of the execution of the independent contract.

- (d) Has been convicted of any of the following misdemeanors, other than a misdemeanor for a relevant crime described under 42 USC 1320a-7, or a state or federal crime that is substantially similar to the misdemeanors described in this subdivision, within the 10 years immediately preceding the date of application for employment or clinical privileges or the date of the execution of the independent contract:
 - (i) A misdemeanor involving the use of a firearm or dangerous weapon with the intent to injure, the use of a firearm or dangerous weapon that results in a personal injury, or a misdemeanor involving the use of force or violence or the threat of the use of force or violence.
 - (ii) A misdemeanor under chapter XXA of the Michigan penal code, 1931 PA 328, MCL 750.145m to 750.145r.
 - (iii) A misdemeanor involving criminal sexual conduct.
 - (iv) A misdemeanor involving cruelty or torture unless otherwise provided under subdivision (e).
 - (v) A misdemeanor involving abuse or neglect.

- (e) Has been convicted of any of the following misdemeanors, other than a misdemeanor for a relevant crime described under 42 USC 1320a-7, or a state or federal crime that is substantially similar to the misdemeanors described in this subdivision, within the 5 years immediately preceding the date of application for employment or clinical privileges or the date of the execution of the independent contract:
 - (i) A misdemeanor involving cruelty if committed by an individual who is less than 16 years of age.
 - (ii) A misdemeanor involving home invasion.
 - (iii) A misdemeanor involving embezzlement.
 - (iv) A misdemeanor involving negligent homicide.

- (v) A misdemeanor involving larceny unless otherwise provided under subdivision (g).
 - (vi) A misdemeanor of retail fraud in the second degree unless otherwise provided under subdivision (g).
 - (vii) Any other misdemeanor involving assault, fraud, theft, or the possession or delivery of a controlled substance unless otherwise provided under subdivision (d), (f), or (g).
- (f) Has been convicted of any of the following misdemeanors, other than a misdemeanor for a relevant crime described under 42 USC 1320a-7, or a state or federal crime that is substantially similar to the misdemeanors described in this subdivision, within the 3 years immediately preceding the date of application for employment or clinical privileges or the date of the execution of the independent contract:
- (i) A misdemeanor for assault if there was no use of a firearm or dangerous weapon and no intent to commit murder or inflict great bodily injury.
 - (ii) A misdemeanor of retail fraud in the third degree unless otherwise provided under subdivision (g).
 - (iii) A misdemeanor under part 74, relating to drug related offenses, unless otherwise provided under subdivision (g).
- (g) Has been convicted of any of the following misdemeanors, other than a misdemeanor for a relevant crime described under 42 USC 1320a-7, or a state or federal crime that is substantially similar to the misdemeanors described in this subdivision, within the year immediately preceding the date of application for employment or clinical privileges or the date of the execution of the independent contract:
- (i) A misdemeanor under part 74, relating to drug related offenses, if the individual, at the time of conviction, is under the age of 18.
 - (ii) A misdemeanor for larceny or retail fraud in the second or third degree if the individual, at the time of conviction, is under the age of 16.