

**NCC Respiratory Care Program  
Policy on Mandatory Criminal Background Checks  
for Candidates for Admission**

**Background & Policy Statement:**

To be employed in New York State (NYS) as a respiratory therapist upon graduation from the Respiratory Care Program, student-graduates must be licensed and registered to practice by the NYS Education Department, Office of the Professions. In order to obtain a NYS license, applicants must pass an approved examination and be of "good moral character" as determined under the NYS Education Law and the Rules of the NYS Board of Regents. Applicants for NYS licensure must reveal whether they have a criminal record (felony or misdemeanor), whether any criminal charges are pending against them, whether any licensing or disciplinary authority has ever taken any negative action against them, and whether any hospital or licensed facility ever restricted or terminated professional training, employment, or privileges, and whether the applicant ever voluntarily or involuntarily resigned or withdrew from such association to avoid imposition of such measures. In addition, every New York State applicant for a professional license, permit, or registration, or any renewal thereof, must file a written statement that, as of the date of the filing, she or he is, or is not, under an obligation to pay child support. Individuals who are four months or more in arrears in child support may be subject to suspension of their business, professional and/or driver's licenses.

In addition to the foregoing NYS requirements, Federal law limits the issuance of professional licenses, registrations and limited permits to United States citizens or qualified aliens. Accordingly, NYS applicants are required to provide information regarding their citizenship or alien status.

The foregoing licensure, "good moral character", and employment standards apply to graduate-applicants for professional licenses. Students enrolled in approved Respiratory Care education programs are exempt from licensure requirements while performing respiratory care as an integral part of such educational program.

Accordingly, to protect patients, the public, the Program, and Nassau Community College, and because the clinical work of Respiratory Care students routinely focuses on care of the most fragile and vulnerable patients, across the life-span, the Respiratory Care Program requires criminal background checks for all students enrolling in the Program on or after April 1, 2008.

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**Procedure:**

1. Within fifteen days of receipt of a conditional offer of acceptance to the Respiratory Care Program, applicants are required to:
  - a. Register with the designated Healthcare Student Background Check Program, and,
  - b. Order the background check authorized by the Respiratory Care Program Admissions Committee, and,
  - c. Authorize the Respiratory Care Program Admissions Committee to view and receive the complete results of the authorized background check. Any information received by the Program will be used for the sole purpose of screening applicants for admission.
2. The cost of the authorized background check shall be the sole responsibility of the applicant and cannot be reimbursed by the Program or the College.
3. Within fifteen days of receipt of the complete background check report, the Respiratory Care Program Admissions Committee shall notify the applicant of the final admission decision. In the event a reasonable question arises as to the moral character of an applicant that cannot be sufficiently answered on the available record, the applicant may be requested to submit an explanation, correction, or amplification of the record for further consideration by the Admissions Committee. In considering results of background checks for the purpose of admitting student to the Respiratory Care Program, to the extent possible the Admissions Committee shall rely upon the standards used by the NYS Education Department in determining "good moral character" with respect to licensure decisions.

If admission to the Program is denied based upon information received through the background check, the applicant may, within ten days of receipt of written notice of such determination, submit an explanation, correction, or amplification of their record for further consideration by the Admissions Committee.

*April 1, 2008*  
*NCC Respiratory Care Program*  
*Admissions Committee*