

WISCONSIN INDIANHEAD TECHNICAL COLLEGE  
PHLEBOTOMY  
STUDENT HANDBOOK

## CAREGIVER BACKGROUND CHECKS

State and federal laws require all students to complete a caregiver background check before participating in a clinical requirement that involves contact with patients or children in a caregiver role. This legislation is described at the Wisconsin Department of Health Services (DHS) web site at <http://dhs.wisconsin.gov/caregiver>.

Since the Phlebotomy program requires students to perform in a caregiver role in clinical facilities, WITC is required to perform background checks prior to placement in those clinical facilities. **All clinical facilities utilized by the campus which the student attends will be notified of ALL discrepancies found by the background check process.** The facility is notified of any discrepancies. It is the prerogative of the clinical facility to refuse to allow a student to complete clinical experiences at their facility based on background check information. Efforts will be made to place a student in a clinical facility; however, inability to attend clinical experiences based on background discrepancies may result in dismissal from the program, since clinical competencies could not be met.

Section A.1 of the Background Information Disclosure form requires disclosure of all pending criminal charges and convictions. This includes **pending charges, as well as conviction** of a felony, misdemeanor or municipal ordinance violation in **any** court, including all military courts, or a tribal court.

If a student is uncertain as to whether a pending charge or conviction is covered, they should disclose it. Convictions are reviewed on an individual basis with respect to impact upon admission to the program, and will not necessarily prevent a student from entering and participating in the program. However, **failure** to disclose a charge or conviction will prevent program admission or result in dismissal from the program.

From the time the Background Information Disclosure form is completed until graduation or dismissal from the program, if the student is charged with or convicted of a crime or a municipal ordinance violation of any type, before any court, or investigated for any violation of a local, state or federal law, the student must report this to the Wisconsin Indianhead Technical College Phlebotomy Program Instructor within seven (7) school days. Failure to report will result in program dismissal.

All students are required to submit to a Wisconsin Caregiver Background Check at the beginning of the program. A felony and some other violations may prohibit completion of the program. Students are responsible for fees associated with background checks.

The following background checks are required:

1. A Wisconsin caregiver background check completed no more than 90 days prior to entry into the Phlebotomy program. If a student leaves the program for any length of time, a repeat background check may be required before the student may reenter the program.
2. A national criminal background check if required by the clinical agency. **Your Program Instructor/Advisor will inform you if a national background check is needed.**
3. A Minnesota background check is required for a MN clinical rotation. **Your Program Instructor/Advisor will inform you if a Minnesota background check is needed.**

## WTCS Caregiver Background Check Criteria

In compliance with the Wisconsin Caregiver Law (1997 WISCONSIN ACT 27, HFS 12), caregiver background checks are completed on all students entering into designated programs in the Wisconsin Technical College System (WTCS). The completion of a caregiver background check includes the review of criminal records for convictions of serious crimes or a history of improper behavior.

**Conviction(s) of the following crime(s) will result in denial of participation in clinical experiences:**

WI Statute	Crime
940.01	First degree intentional homicide
940.02	First degree reckless homicide
940.03	Felony murder
940.05	Second degree intentional homicide
940.12	Assisting suicide
940.19 (2) through (6)	Battery (felony)
940.22 (2) or (3)	Sexual exploitation by therapist; duty to report
940.225 (1), (2), or (3)	First, second, or third degree sexual assault
940.285	Abuse of vulnerable adults (misdemeanor or felony)
940.29	Abuse of residents of a penal facility
940.295	Abuse or neglect of patients and residents (misdemeanor or felony)
940.02 (1)	First degree sexual assault of a child
940.03 (2) (a)	Physical abuse of a child—intentional—cause great bodily harm
OTHER OFFENSES	
	Finding by a governmental agency of neglect or abuse of a client, or of misappropriation of a client's property
	Finding by a governmental agency of child abuse or neglect

**Any pending charges or conviction of the following crime(s) will require the student to provide more information and may result in denial of access to the clinical facility:**

WI Statute	Crime
968.075	Being found by the court, or record, to include an act of domestic violence
961	The sale, possession, distribution or transfer of narcotics or controlled substances
943.201, 943.38, 943.39	Misappropriation such as, unauthorized use of an individual's personal identifying information or documents, forgery or fraudulent writings
943.20	Felony or misdemeanor theft
944	Crimes of moral turpitude (prostitution, public lewdness/exposure, etc.)
346.63	More than two (2) D.U.I. convictions in the three (3) years immediately preceding the submittal of application. The student may be asked to submit proof of an AODA substance evaluation and/or proof of completion of any court ordered treatment.
940.19 (1)	Misdemeanor battery
940.195	Battery to an unborn child
940.20	Battery, special circumstances
941.30	Reckless endangerment
942.08	Invasion of privacy
947.01	Disorderly conduct
947.013	Harassment
OTHER OFFENSES	
	Crimes committed in another state, the elements of which are substantially similar to the elements of any of the above offenses.

If the applicant believes the background check is inaccurate, they may appeal the decision and request a review with the Dean, Allied Health & Nursing. It is the applicant's responsibility to produce substantial evidence that proves the disqualifying criminal conviction record is inaccurate.