

Update: FBI Background Checks effective July 1, 2014.

Pursuant to § 32.1-111.5 of the *Code* (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+32.1-111.5>), any person who, on or after July 1, 2013, applies to be a volunteer with, or employee of, an Emergency Medical Services (EMS) agency must submit fingerprints and provide personal descriptive information to be forwarded by the Office of EMS along with his fingerprints through the Central Criminal Records Exchange (CCRE) of the Virginia State Police to the Federal Bureau of Investigation, for the purpose of conducting a state and national criminal history check.

The CCRE shall forward the results of the state and national records search to the Office of EMS. It will be the responsibility of the Office of EMS, based on EMS personnel requirements outlined in the *Virginia EMS Regulations* (12VAC5-31-910, <http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+12VAC5-31-910>) to determine if each person is eligible for certification and/or affiliation with an EMS agency.

EMS practitioners, by virtue of their state certification have unsupervised, intimate, physical and emotional contact with patients at a time of great physical and emotional vulnerability, as well as unsupervised access to personal property. In this capacity, they are placed in a position of the highest public trust, even above that granted to other public safety professionals and most other health care providers.

Citizens in need of out-of-hospital medical care rely on the EMS system and the existence of state licensure/certification to assure that those who respond to their calls for aid are worthy of this extraordinary trust. In light of the high degree of trust conferred upon EMS personnel, the Office of EMS has a duty to exclude individuals who pose a risk to public health, safety and welfare by virtue of conviction of certain crimes.

Applicants for affiliation with an EMS agency can obtain appropriately coded fingerprint cards from their local Regional EMS Council office (www.vaems.org). Once the card is

obtained, the applicant must provide certain personal descriptive information as well as their fingerprints (at their expense, if any.) The fingerprint cards must be forwarded to the Office of EMS where they will be processed and submitted electronically to the Virginia State Police (VSP) via our Live Scan program. It is important to note, for the purposes of satisfying the requirements of §32.1-111.5 of the *Code* that VSP will only accept a Live Scan print submitted by the Office of EMS, thus the need to submit the inked fingerprint cards.

It is estimated it will take approximately seven (7) calendar days from the date the fingerprints are forwarded by the Office of EMS to CCRE to receive a report of the results of the criminal history check. The Office of EMS shall issue a determination of eligibility by letter and email to the chief executive officer of the EMS agency for each person who applies to be a volunteer with, or employee of, an emergency medical services (EMS) agency. Individuals who submit an application for volunteer membership or employment to more than one EMS agency are not required to submit additional fingerprint-based criminal history and background checks if application is submitted within sixty (60) days of the original request.

Persons who fail or refuse to cooperate in obtaining criminal history records checks shall be denied volunteer membership or employment with an EMS agency. Should the applicant feel the information returned from their criminal background check is not correct, they must contact VSP to initiate the appeal process. The Office of EMS maintains the right to conduct additional checks of records of other state agencies (i.e. Virginia Department of Motor Vehicles, Department of Health Professions, Sexual Offender Registry, etc.) and records at city and county courts on persons who apply to be a volunteer with, or employee of, an EMS agency.

The cost to run a state and national criminal background check will be paid for from funds set aside from the EMS Fund. However, the cost to obtain fingerprints is not covered by the Office of EMS. The actual results of the background check cannot be shared or divulged in any form by the Office.

For any additional information, please visit the Office of EMS website at www.vdh.virginia.gov/oems, or contact Michael Berg, manager of Regulation and Compliance, 804-888-9100 or 800-523-6019 (VA only).