

Policy Statement:

Each EMS agency is required to have a process for screening the backgrounds of their members, employees and other sponsored personnel in the Vermont Adult Abuse Registry and Vermont Child Protection Registry. The EMS Rule gives EMS agencies discretion to determine when and how often to screen their affiliates; to ensure all EMS practitioners are timely screened, the Vermont Department of Health performs these background checks when a person applies for an EMS license or enrolls in an EMS course.

Authority:

The Department licenses EMS agencies pursuant to 18 V.S.A. § 904(b); EMS Rule 4.4.2.5 and 5.4.3.4 require EMS agencies to perform crime and abuse registry background checks on their personnel. At the recommendation of the Vermont Auditor of Accounts, the EMS office performs these checks with the support of the Department for Aging and Independent Living (DAIL) and the Department for Children and Families (DCF).

The Department may act on a personnel license for unprofessional behavior; specifically, actions that are dangerous or injurious, or potentially so, to the public, EMS personnel, or any other persons. EMS Rule 14.1.5.6 addresses the exercise of undue influence or taking improper advantage of a patient. EMS Rule 14.1.5.12 addresses acting in an abusive and/or threatening manner.

Procedure:

The Department performs background checks in the Vermont Adult Abuse Registry and the Vermont Child Protection Registry each time a person applies for an EMS license or enrolls in an EMS course. The Department cannot access the abuse registries without the applicant's permission. The applicant is free to withhold permission, but the Department will not issue the license until these background checks are complete.

If the background check reveals a substantiated report of abuse, the applicant is not eligible for an EMS license. A substantiation means that DAIL or DCF investigated a report of abuse or neglect and determined there was accurate and reliable information that would lead a reasonable person to believe that a child or adult was abused or neglected.

If the applicant believes the report is inaccurate, they can ask the [DAIL/DCF] Commissioner's Registry Review Unit (802-241-2321) for a review to appeal or expunge the substantiation. If the appeal is successful, the applicant can reapply for an EMS license.

Rationale:

Protecting the public, particularly members of vulnerable populations, is the top priority of the Department's EMS office; routinely checking all current and potential EMS practitioners in the abuse registries is critical to carrying out that mission.

Approved: August 15, 2020