



Background Screening Policy Recommendations

Registered Nurse

Generated September 29, 2026 for uStayWell Hospital (Charles Schultz). This report applies the federal, state, and local employment-screening laws that govern the position described below. Where rules conflict, the strictest rule is shown as required.

- Required or prohibited by law
- Strongly recommended to reduce legal risk
- Best practice
- Informational reminder

Jurisdictions applied

- Federal: FCRA, Title VII / EEOC guidance, ADA
- California
- City and County of San Francisco

Start here: the foundation of every screening policy

These items apply to every position you screen. Put them in place before anything else.

REQUIRED

Stand-alone disclosure and signed authorization before every report

Before you order any report from a background screening company, give the applicant a written disclosure that consists solely of the statement that a consumer report may be obtained for employment purposes, and get a signed (or e-signed) authorization. Keep waivers, extra terms, and state notices off the disclosure page; put state-required language on a separate page. Certify to the screening company that you have done this and will follow the adverse-action rules.

Source: 15 U.S.C. § 1681b(b)(2)

REQUIRED

Apply the same screening package to every applicant for the same position

Order the same searches and apply the same written decision criteria to every applicant for this position. Deviations by individual (for example, checking one candidate's credit but not another's) are the most common source of discrimination claims, and Title VII disparate-treatment liability attaches to employers with 15 or more employees. Document any exception and the business reason for it.

Source: Title VII; EEOC Enforcement Guidance (2012)

REQUIRED

Two-step adverse action before any rejection based on a report

If a report may lead you to reject an applicant, first send a pre-adverse action notice with a copy of the report and the CFPB Summary of Rights, then wait at least 7 business days (the longest period among the laws that apply to this position) for the applicant to respond, and only then send the final adverse action notice naming the screening company, stating that it did not make the decision, and explaining the right to dispute and to a free copy within 60 days.

Source: 15 U.S.C. §§ 1681b(b)(3), 1681m

REMINDER

Keep a written background screening policy and adverse-action procedure

A written policy that names the searches ordered for each position, the timing, the decision criteria, the individualized-assessment steps, and the adverse-action sequence is what regulators and plaintiffs ask for first. Update your existing policy with the position-specific items below.

Source: EEOC guidance; state requirements

REMINDER

When rules conflict, the strictest one wins

This position is subject to 3 layers of law (federal, state, and local). Where they differ, follow the most protective rule for the applicant; that is the rule shown as "required" below. Recommendations are current as of September 28, 2026.

REMINDER

Keep the file

Keep the disclosure, authorization, report, assessment notes, and notices for at least one year after the decision (two years for federal contractors); several laws require longer (Maryland four years, Los Angeles and San Francisco three years, Massachusetts CORI acknowledgments one year with a dissemination log). Store reports separately from the personnel file and dispose of them securely.

Source: 29 C.F.R. § 1602.14; FTC Disposal Rule

Laws applied to this position

REMINDER

Federal law

The Fair Credit Reporting Act governs every report prepared by a screening company; Title VII and the EEOC's 2012 guidance govern how criminal history may be used (15 or more employees); the ADA governs the timing of medical examinations.

Source: 15 U.S.C. § 1681 et seq.; 42 U.S.C. § 2000e

REMINDER**California state law**

Applied because work is performed in San Francisco, San Francisco County, California and Oakland, Alameda County, California. Employers with five or more employees may not ask about, seek, or consider conviction history until after a conditional offer, and job ads may not state that people with records need not apply. Under the amended regulations (2 CCR § 11017.1, eff. Oct. 1, 2023) the rules also cover existing employees who apply for a different position or face a review after a change in ownership or policy, apply to staffing agencies and any entity that evaluates conviction history on the employer's behalf, and bar considering criminal history the applicant volunteers before the offer. Exempt: positions where a criminal-justice agency or a state, federal, or local law requires a check, farm labor contractors, and criminal-justice agencies. Applications and job ads may not mention criminal history; the disclosure form must be free of extraneous terms. Since Jan. 1, 2025 (SB 1100, Gov. Code § 12940) job ads and applications may not state that a driver's license is required unless driving is reasonably expected to be a job function and no alternative form of transportation would be comparable in travel time or cost.

Source: Cal. Gov. Code § 12952 (Fair Chance Act); 2 CCR § 11017.1

REMINDER**City and County of San Francisco ordinance**

Employers with five or more employees worldwide may not ask about criminal history until after a conditional offer, and may never consider arrests not leading to conviction, diversion, infractions, juvenile records, convictions older than seven years, or decriminalized conduct. Before an adverse action, give the applicant a copy of the report, identify the item relied on, allow at least seven days to present evidence of inaccuracy, rehabilitation, or mitigation, and conduct an individualized assessment that weighs the nature and gravity of the offense. Under the amendments effective Aug. 10, 2026, the employer must confirm receipt of the applicant's response within 14 days, delay adverse action for a reasonable period after that confirmation, withdraw the proposed action if the applicant makes a reasonable factual showing that it rests solely on a conviction unrelated to the job, issue the final decision within 30 days of the response or of the notice if no response, and may not consider out-of-state convictions or unresolved arrests for conduct lawful in California involving abortion-related health care, gender-affirming care, drag performance, or miscarriage. Administrative penalties are \$1,000, \$2,000, and \$4,000 per person for first, second, and later violations. Post the OLSE notice and keep records for three years.

Source: S.F. Police Code art. 49 (Fair Chance Ordinance, as amended; 2026 amendments effective Aug. 10, 2026)

When you may ask about criminal history

REQUIRED**Wait until after a conditional offer of employment**

Ask about, search for, or consider criminal history only after a conditional offer of employment. This is the strictest timing rule among the laws that apply to this position (California and City and County of San Francisco). Because a law, licensing board, contract, or bond requires a check for this position, the statutory exemption may let you ask earlier; the safer course, and the one most regulators expect, is to keep the check after the conditional offer and rely on the exemption only for the substance of the decision.

Source: Cal. Gov. Code § 12952 (Fair Chance Act); 2 CCR § 11017.1; S.F. Police Code art. 49 (Fair Chance Ordinance, as amended; 2026 amendments effective Aug. 10, 2026)

RECOMMENDED**Remove criminal-history language from job ads and applications**

Delete the conviction question from the application form and remove statements such as "no felonies" or "clean record required" from postings; most fair-chance laws (for example Colorado, New Jersey, Vermont, Maine, Washington, New York City, Philadelphia, Los Angeles, and Seattle) treat such statements as violations. Where the law requires it (Los Angeles County, Philadelphia), the posting must instead state that criminal history will be reviewed after a conditional offer.

Source: State and local fair-chance laws

RECOMMENDED**Run non-criminal checks first**

Sequence the order: identity and SSN trace, employment and education verification, license checks, and any permitted credit or MVR check before or with the offer; order the criminal search only once the conditional offer has been made. New York City and Los Angeles County make this sequencing mandatory.

Which records you may consider

REQUIRED**Never consider sealed, expunged, set-aside, or pardoned records**

Every jurisdiction that applies bars their use. Applicants may lawfully deny that these records exist, and screening companies may not report them. Clean-slate laws now seal eligible records automatically in many states, so a record that appeared on a report last year may be off-limits this year. Dismissed, sealed, expunged, or statutorily eradicated convictions, and juvenile court matters, may not be asked about or used (Cal. Lab. Code § 432.7).

Source: State sealing and expungement statutes

REQUIRED**Never consider juvenile records**

Juvenile adjudications are confidential in every state that applies to this position and may not be requested or used: Juvenile court information may not be requested or used (Lab. Code § 432.7).

Source: State juvenile-records statutes; FCRA § 605

REQUIRED**Do not consider arrests, dismissed charges, or diversions that did not end in a conviction**

You selected one or more non-conviction record types. Remove them from your criteria. California: Employers may not ask about or consider arrests or detentions that did not result in conviction, pretrial or post-trial diversion, or convictions that were judicially dismissed, sealed, expunged, or statutorily eradicated (Cal. Lab. Code § 432.7). Any employer may ask about an arrest for which the person is out on bail or on their own recognizance pending trial. Health facilities may additionally ask about arrests for specified sex offenses (positions with regular patient access) or controlled-substance offenses (positions with access to drugs) under § 432.7(f). Screening companies may not report arrests that did not result in conviction except while judgment is pending (Civ. Code § 1786.18(a)(7)). City and County of San Francisco bars consideration of arrests and non-convictions.

Source: State fair-employment and arrest-record statutes

RECOMMENDED**Pending charges: job-related conduct only, and re-verify before deciding**

Pending charges may generally be considered when the alleged conduct relates to the job, but do not treat a charge as a conviction. Re-check the disposition before any final decision.

Source: State fair-chance laws

REQUIRED**Marijuana convictions are protected here**

California: Marijuana convictions older than two years may not be asked about or considered (Cal. Lab. Code § 432.8). Simple-possession convictions are being expunged automatically in many states and rarely relate to job duties; using them invites disparate-impact claims.

Source: State marijuana-conviction protections

REQUIRED**Convictions: consider only those that relate to this job**

Felony and misdemeanor convictions may be considered, but only through the individualized assessment described below and only where the offense relates to the duties of a Registered Nurse. Blanket exclusions ("no felonies") are unlawful in the fair-chance jurisdictions that apply here and are treated as presumptively discriminatory by the EEOC everywhere. Specific limits: City and County of San Francisco: Convictions older than seven years (from sentence completion), infractions, and decriminalized conduct may not be considered.

Source: EEOC Enforcement Guidance (2012); state fair-chance laws

RECOMMENDED**Write job-related criteria for this position**

Given the duties you described, the offense categories with a defensible relationship to this job are: offenses against persons, abuse, neglect, and sexual offenses (registry checks and, where mandated, fingerprint checks). Put these categories, the time limits, and the assessment factors in a written screening matrix for the position so every reviewer applies the same standard.

Source: EEOC Enforcement Guidance (2012)

How far back you may look

REQUIRED**Seven-year limit applies to this position**

A seven-year limit applies to this position: California — Screening companies may not report arrests, indictments, convictions, or other adverse public-record items older than seven years from disposition, release, or parole (Civ. Code § 1786.18(a)(7); parallel rule for consumer credit reports in § 1785.13(a)(6)). California has no salary exemption for employment reports; the only exceptions are life-insurance underwriting of \$250,000 or more and employers explicitly required by a governmental regulatory agency to check for older records (§ 1786.18(b)). City and County of San Francisco — Convictions older than seven years (from sentence completion), infractions, and decriminalized conduct may not be considered. Set the search scope to seven years and instruct reviewers to disregard anything older that surfaces from another source.

Source: Cal. Civ. Code § 1786.18 (ICRAA); S.F. Police Code art. 49 (Fair Chance Ordinance, as amended; 2026 amendments)

effective Aug. 10, 2026)

Individualized assessment and required notices

REQUIRED

Written individualized assessment is mandatory here

You do not currently use a written individualized assessment. It is required for this position. Before withdrawing an offer because of a record, document the nature and gravity of the offense, the time elapsed, and the nature of the job, give the applicant the record and your preliminary reasoning, wait the required period, consider any response, and then issue a final written decision. California: Written individualized assessment of the nature and gravity of the offense, the time elapsed, and the nature of the job. Preliminary written notice identifying the disqualifying conviction, with a copy of the report; at least five business days from receipt to respond (five more if the applicant disputes accuracy in writing and is gathering evidence); a mailed notice is deemed received five calendar days after mailing to a California address (ten out of state, twenty outside the U.S.) and an emailed notice two business days after sending (2 CCR § 11017.1); a second individualized assessment considering the response; then a final written notice with the right to file a complaint with the Civil Rights Department. City and County of San Francisco: Employers with five or more employees worldwide may not ask about criminal history until after a conditional offer, and may never consider arrests not leading to conviction, diversion, infractions, juvenile records, convictions older than seven years, or decriminalized conduct. Before an adverse action, give the applicant a copy of the report, identify the item relied on, allow at least seven days to present evidence of inaccuracy, rehabilitation, or mitigation, and conduct an individualized assessment that weighs the nature and gravity of the offense. Under the amendments effective Aug. 10, 2026, the employer must confirm receipt of the applicant's response within 14 days, delay adverse action for a reasonable period after that confirmation, withdraw the proposed action if the applicant makes a reasonable factual showing that it rests solely on a conviction unrelated to the job, issue the final decision within 30 days of the response or of the notice if no response, and may not consider out-of-state convictions or unresolved arrests for conduct lawful in California involving abortion-related health care, gender-affirming care, drag performance, or miscarriage. Administrative penalties are \$1,000, \$2,000, and \$4,000 per person for first, second, and later violations. Post the OLSE notice and keep records for three years.

Source: Cal. Gov. Code § 12952(c); 2 CCR § 11017.1; S.F. Police Code art. 49 (Fair Chance Ordinance, as amended; 2026 amendments effective Aug. 10, 2026)

REQUIRED

California notices and forms

ICRAA/CCRAA disclosure must name the screening company, state the nature and scope of the investigation, and include a checkbox for a free copy of the report; the copy must be sent within three business days of the employer receiving it (Cal. Civ. Code § 1786.16). Employers must give the applicant a copy of any public record obtained without a screening company within seven days (Civ. Code § 1786.53). Fair Chance Act preliminary and final notices are required in addition to the FCRA pre-adverse and adverse notices.

Source: Cal. Gov. Code § 12952 (Fair Chance Act); 2 CCR § 11017.1

REQUIRED

Add the "request a copy" checkbox to your disclosure

California, Minnesota, and Oklahoma require the disclosure to include a box the applicant can check to receive a free copy of the report; put it on the state-notice page, not on the stand-alone federal disclosure.

Source: Cal. Civ. Code § 1786.16; Minn. Stat. § 13C.02; 24 O.S. § 148

Recommended searches for this position

RECOMMENDED

County criminal search: current and prior counties of residence

The county court is the source of record; order a search in each county where the applicant has lived or worked in the lookback period, identified through an SSN trace and address history. Statewide and national databases supplement, not replace, county searches.

Source: Industry standard; FCRA § 613 accuracy duties

RECOMMENDED

Statewide repository search where the state offers one

Add the statewide search for each work and residence state that has a usable repository; it catches counties the address history misses. Some states (California, for example) have no public statewide search, and repository data quality varies.

REQUIRED

Database results must be verified at the source before you act on them

A national multi-jurisdictional database is a locator tool. Before any adverse decision, the record must be confirmed against the court of record (the FCRA requires screening companies to keep public-record information complete and current, and several states bar reliance on unverified database hits). Never reject on a database-only result.

Source: 15 U.S.C. § 1681k

REQUIRED

Sex offender registry search

For positions working with children, elderly or vulnerable adults, patients, or in customers' homes, run the national and state sex-offender registry search; state law commonly requires it and negligent-hiring exposure is highest for these roles.

Source: State vulnerable-population statutes

RECOMMENDED

Global watchlist / OFAC search

Sanctions, terrorist, and debarment lists (OFAC, SAM, OIG, FINRA, Interpol) are inexpensive and expected in regulated and government-facing roles.

REQUIRED

Mandated checks for your industry control the substance of the decision

You identified a required check: State Nursing Licensing Board. Screen against the HHS-OIG List of Excluded Individuals/Entities and SAM.gov before hire and monthly thereafter for any role paid with federal healthcare

program funds (42 U.S.C. § 1320a-7; 42 C.F.R. part 1001; OIG Special Advisory Bulletin, May 2013, which notes the LEIE is updated monthly). Employing or contracting with an excluded person exposes the provider to civil monetary penalties of up to \$25,595 per item or service furnished (42 U.S.C. § 1320a-7a(a)(6); 45 C.F.R. § 102.3, 2025 inflation adjustment published Jan. 28, 2026, with no 2026 increase), plus an assessment of up to three times the amount claimed and possible exclusion. State health department rules commonly require fingerprint-based checks for direct patient care and long-term-care roles. A mandated fingerprint or regulator check does not replace the FCRA process when a screening company is also used, and most fair-chance timing exemptions cover only the mandated check itself.

Source: Industry-specific federal and state rules

RECOMMENDED

Primary-source license verification

Verify the RN License directly with the issuing board (status, expiration, and disciplinary history) before the start date and at each renewal.

Employment credit reports

REMINDER

No credit report planned

Good: California restricts employment credit checks, and this position would not qualify for an exemption.

Drug and marijuana testing

REMINDER

Test after the conditional offer

A drug test for illegal drugs is not a medical examination under the ADA, but alcohol tests and any related medical questions are, and must wait until after a conditional offer. Testing everyone after the offer keeps the sequence uniform and avoids collecting medical information (prescriptions, medical-cannabis certifications) before you must.

Source: 42 U.S.C. § 12112(d)

RECOMMENDED

Adopt a written drug-testing policy

The policy should name the positions tested, the substances on the panel, the circumstances (post offer and random), the laboratory and medical review officer, and the consequences of a positive or refused test.

Source: Best practice

REQUIRED

Marijuana (THC) pre-employment testing is restricted here

Marijuana may not be treated like other drugs for this position. California — Employers may not discriminate based on off-duty cannabis use away from the workplace (medical or adult use) or on a drug test that detects only non-psychoactive cannabis metabolites, and may not ask about prior cannabis use except through criminal

history the employer may lawfully consider (Gov. Code § 12954, AB 2188 and SB 700, eff. Jan. 1, 2024). Tests must detect active THC or impairment; employers may still bar use, possession, or impairment at work. No duty to accommodate medical cannabis use at work. Exempt: building and construction trades and positions requiring a federal background investigation or security clearance, and testing required by state or federal law. Practical options: remove THC from the pre-employment panel for this position, or use a test that detects active THC rather than inactive metabolites where that is what the law allows.

Source: Cal. Gov. Code § 12954 (AB 2188, Jan. 1, 2024); SB 700 (no questions about prior cannabis use)

Salary history

REQUIRED

Do not ask about salary history

California — Employers may not ask about or rely on salary history and must provide the pay scale on reasonable request; pay scale must appear in postings, including postings placed by third parties, for employers with 15 or more employees (SB 1162). Since Jan. 1, 2026 (SB 642, Stats. 2025, ch. 468) 'pay scale' means a good-faith estimate of the salary or hourly wage range the employer reasonably expects to pay for the position upon hire. City and County of San Francisco — Employers may not ask about or rely on salary history (in addition to California's statewide ban). Remove the question from applications and interview scripts, and tell your screening company not to request prior pay during employment verification.

Source: Cal. Lab. Code § 432.3; S.F. Police Code art. 33J (Parity in Pay Ordinance, July 1, 2018)

Other checks and verifications

REQUIRED

Social media review: never request passwords, and wall off protected information

California (Cal. Lab. Code § 980) prohibits requesting passwords, account access, or "friend" access to personal accounts. Review only public content, have someone outside the hiring decision (or a screening company operating under the FCRA) collect it, remove protected-characteristic information (religion, pregnancy, disability, age, national origin, union activity, lawful off-duty conduct) before it reaches the decision-maker, and apply the same review to every finalist for the position.

Source: State social-media privacy laws

REQUIRED

Automated or AI screening tools are regulated here

California — Automated decision systems used in hiring are subject to FEHA anti-discrimination rules; employers and their agents must keep ADS data and employment records for four years (2 CCR § 11013) and may not use automated tools to screen criminal history before a conditional offer (2 CCR § 11017.1). The CCPA automated decisionmaking technology regulations (approved Sept. 23, 2025, eff. Jan. 1, 2026) add pre-use notice, opt-out, and access duties for covered businesses that use ADMT for significant decisions including hiring; compliance is required by Jan. 1, 2027. SB 947 (No Robo Bosses Act, discipline and discharge decisions) was on the Governor's desk as of Sept. 2026 with a Sept. 30, 2026 deadline; if signed it takes effect July 1, 2027. Ask your vendor for the bias audit, the notice language, and the human-review process before using the tool for this position.

Source: 2 CCR §§ 11008.1, 11009, 11013, 11017.1 (Civil Rights Council automated-decision system regulations, eff. Oct. 1, 2025); 11

CCR § 7001 et seq. (CPPA automated decisionmaking technology regulations, eff. Jan. 1, 2026)

REQUIRED

Rescreening and continuous monitoring need fresh authorization and the same process

Obtain a new disclosure and authorization for post-hire checks unless the original clearly and lawfully covers ongoing screening (California and several other states do not permit "evergreen" authorizations for new reports), and apply the same individualized assessment and adverse-action steps to current employees. New York City, Philadelphia, and Los Angeles County extend their fair-chance procedures to current employees.

Source: 15 U.S.C. § 1681b(b); state and local fair-chance laws

REQUIRED

OIG and SAM exclusion screening

Screen against the HHS-OIG List of Excluded Individuals/Entities and SAM.gov before hire and monthly thereafter for any role paid with federal healthcare program funds (42 U.S.C. § 1320a-7; 42 C.F.R. part 1001; OIG Special Advisory Bulletin, May 2013, which notes the LEIE is updated monthly). Employing or contracting with an excluded person exposes the provider to civil monetary penalties of up to \$25,595 per item or service furnished (42 U.S.C. § 1320a-7a(a)(6); 45 C.F.R. § 102.3, 2025 inflation adjustment published Jan. 28, 2026, with no 2026 increase), plus an assessment of up to three times the amount claimed and possible exclusion. State health department rules commonly require fingerprint-based checks for direct patient care and long-term-care roles.

Source: 42 U.S.C. § 1320a-7

RECOMMENDED

FACIS® Level 3 healthcare sanctions search

For a healthcare background check, run a FACIS® Level 3 search alongside the criminal search. It covers more than 5,000 federal and state sources in one order: the OIG List of Excluded Individuals/Entities, SAM.gov, OFAC, FDA, DEA and TRICARE, plus the state Medicaid exclusion lists and the licensing and disciplinary boards in all 50 states, which the OIG and SAM lists alone miss. Most reports finish within 24 hours. The OIG recommends screening at hire and monthly thereafter for any role paid with Medicare or Medicaid funds; civil monetary penalties for claims tied to an excluded person currently exceed \$20,000 per item. Order the Level 3 tier for licensed and direct-care staff, and repeat it monthly or through continuous monitoring.

Source: 42 U.S.C. § 1320a-7; 42 C.F.R. Part 1001; OIG Special Advisory Bulletin (2013)

REMINDER

E-Verify is voluntary for this position

E-Verify is voluntary under federal law except for federal contractors with the FAR E-Verify clause (48 C.F.R. 52.222-54: enroll within 30 days of award, verify new hires within three business days of hire, and verify existing employees assigned to the contract). Every employer must still complete Form I-9 for each new hire: Section 1 by the first day of work and Section 2 within three business days of the first day of work (8 C.F.R. § 274a.2). The current Form I-9 is the 01/20/25 edition (expires 05/31/2027); USCIS also accepts the 08/01/23 edition through 05/31/2027. Several states mandate E-Verify for private employers above a size threshold; the state rule is shown where it applies. California and Illinois restrict how E-Verify may be used (no pre-offer queries; specific notice duties).

Your process: what to change

REQUIRED

Do not consider arrests, dismissed charges, or diversions that did not end in a conviction

See "Which records you may consider" above. You selected one or more non-conviction record types. Remove them from your criteria. California: Employers may not ask about or consider arrests or detentions that did not result in conviction, pretrial or post-trial diversion, or convictions that were judicially dismissed,...

Source: State fair-employment and arrest-record statutes

REQUIRED

Marijuana convictions are protected here

See "Which records you may consider" above. California: Marijuana convictions older than two years may not be asked about or considered (Cal. Lab. Code § 432.8). Simple-possession convictions are being expunged automatically in many states and rarely relate to job duties; using them invites disparate-impact claims.

Source: State marijuana-conviction protections

REQUIRED

Written individualized assessment is mandatory here

See "Individualized assessment and required notices" above. You do not currently use a written individualized assessment. It is required for this position. Before withdrawing an offer because of a record, document the nature and gravity of the offense, the time elapsed, and the nature of the job,...

Source: Cal. Gov. Code § 12952(c); 2 CCR § 11017.1; S.F. Police Code art. 49 (Fair Chance Ordinance, as amended; 2026 amendments effective Aug. 10, 2026)

REQUIRED

Marijuana (THC) pre-employment testing is restricted here

See "Drug and marijuana testing" above. Marijuana may not be treated like other drugs for this position. California — Employers may not discriminate based on off-duty cannabis use away from the workplace (medical or adult use) or on a drug test that detects only non-psychoactive cannabis...

Source: Cal. Gov. Code § 12954 (AB 2188, Jan. 1, 2024); SB 700 (no questions about prior cannabis use)

Draft policy language for this position

REMINDER

Background Screening Policy — Registered Nurse

1. Purpose and scope. [Company Name] conducts background screening for the position of Registered Nurse to verify qualifications, protect employees, customers, and property, and comply with applicable law. This policy applies to all applicants for the position. The same searches and criteria apply to every candidate for the position.
2. Consent. Before any report is obtained from a consumer reporting agency, the candidate receives a stand-alone written disclosure and provides written authorization. State-required notices are provided on a separate page. [Company Name] certifies its compliance to the screening company.

3. Timing. Criminal history is not requested on the application or in job advertisements. [Company Name] asks about, searches for, and considers criminal history only after a conditional offer of employment. Non-criminal checks (identity, employment, education, license) are completed first.
4. Searches. The screening package for this position consists of: county criminal court search in each county of residence and employment during the lookback period; statewide criminal search where available; national criminal database and sex-offender registry search, with all results verified at the source; license verification; post-offer drug test under the written drug-testing policy; OIG and SAM exclusion screening; FACIS® Level 3 healthcare sanctions search (federal exclusion lists, state Medicaid exclusion lists and state licensing boards), repeated monthly. The lookback period is seven years. Records older than the lookback period, sealed, expunged, set-aside, or pardoned records, juvenile records, and arrests or charges that did not result in a conviction (other than pending charges whose alleged conduct relates to the position) are not considered.
5. Decision criteria. A conviction is considered only if it relates to the duties of the position. For a Registered Nurse, the offense categories with a documented relationship to the job are listed in the position screening matrix. No candidate is rejected automatically because of a record.
6. Individualized assessment. Before withdrawing an offer because of a record, the hiring manager and Human Resources document the nature and gravity of the offense, the time elapsed since the offense or completion of the sentence, and the nature of the position; provide the candidate with the record and the preliminary reasons; allow at least 7 business days for the candidate to respond with evidence of inaccuracy, rehabilitation, or mitigating circumstances; consider the response; and issue a final written decision.
7. Adverse action. If a report may lead to an adverse decision, [Company Name] sends a pre-adverse action notice with a copy of the report and the Summary of Rights, waits the period in section 6, and then sends a final adverse action notice that names the screening company, states that the screening company did not make the decision, and explains the candidate's dispute rights and right to a free copy of the report.
8. Drug testing. Candidates are tested after a conditional offer under the written drug-testing policy, which names the panel, the laboratory, the medical review officer, and the consequences of a positive or refused test. [Marijuana is / is not] included in the pre-employment panel for this position in accordance with applicable law, and medical-cannabis certifications are handled through the accommodation process.
9. Salary history. [Company Name] does not ask candidates or prior employers about compensation history. Offers are based on the budgeted range for the position.
10. Records and confidentiality. Screening reports and assessment records are stored separately from personnel files, accessible only to those involved in the decision, retained for [one / two / four] years after the decision, and then securely destroyed.
11. Review. This policy and the position screening matrix are reviewed at least annually and whenever the position, its work locations, or applicable law changes. Rules current as of September 28, 2026.

Source: Draft for review by counsel

Your answers

Job title	Registered Nurse
What type of employer are you?	Private company

How many employees do you have across all locations?	1,547
Is your organization in any of these regulated industries?	Healthcare
Will the background check be obtained from a background screening company (a consumer reporting agency) or run in-house by your staff?	Screening company
Where will this position perform its work?	At a fixed work site
Work site location	San Francisco, San Francisco County, California
List the other locations	Oakland, Alameda County, California
Where is your company headquartered?	California
Who is being screened?	New applicant
Employment status	Full-time
Is this a managerial or executive position, or exempt from overtime under the FLSA?	No
Does the position involve any of the following?	Working with children under 18; Working with elderly or vulnerable adults; Direct patient care
Will the applicant drive as part of the job?	No
Is this a safety-sensitive position under federal law, state law, or your own written policy?	No
Is a background check for this position required by a federal or state law, a licensing board, a government contract, or a bonding or insurance requirement?	Yes
Does the position require a security clearance or work on a federal contract?	No
Does the position require a professional license or certification?	Yes
How is this position paid?	Hourly
Expected annual compensation	\$111,904 (from hourly rate × hours × 52)
Will you ask the applicant about their prior salary or wage history?	No
Will you run a criminal history check?	Yes
Which criminal searches do you plan to run?	Not sure, recommend for me
Which record types do you want to consider?	Felony convictions; Misdemeanor convictions; Pending charges; Diversion or deferred adjudication; Marijuana-related convictions
How far back do you want to look?	Not sure, recommend for me
When do you currently ask about criminal history?	Only after a conditional offer
Will you use a written individualized assessment (nature of the offense, time elapsed, relation to the job) before rejecting an applicant because of a record?	Not sure

Will you apply the same criteria to every applicant for this position?	Yes
Will you request an employment credit report?	No
Will you drug test?	Yes
When will you test?	After a conditional offer; Random after hire
Will the panel include marijuana (THC)?	Yes
Is the position subject to federal drug-testing rules (DOT, FAA, FTA, PHMSA, Coast Guard)?	No
Which verifications will you run?	Professional license
Will you pull a motor vehicle record (MVR)?	No
Will you review the applicant's social media or other public internet content?	Yes
Will any automated, algorithmic, or AI-based tool be used to score, rank, or screen applicants or background reports?	Not sure
Will you rescreen employees or use continuous monitoring after hire?	Yes
Will you check federal exclusion lists (OIG, SAM)?	Yes
Has the applicant lived, worked, or studied outside the U.S. in the past 7 years?	No
At what stage do you currently run the background check?	After a conditional offer
Do you give applicants a stand-alone FCRA disclosure and get written authorization before ordering the report?	Yes
When a report leads you to reject someone, do you send a pre-adverse action notice, wait, and then send a final adverse action notice?	Yes, both notices
What would you like the builder to produce?	Both

Important

This report is general compliance information prepared from the laws in effect on the date shown. It is not legal advice and does not create an attorney-client relationship. Laws change frequently and local rules may add requirements; confirm the recommendations with your employment counsel before adopting a policy. screeningpolicy.com and Langley Porter AG LLC do not make hiring decisions and are not a law firm.