

FAQ Criminal History Check for Drug Related Offenses -- Questions & Answers

1. Why is a Criminal History Check for drug related offenses necessary?

The Drug Enforcement Administration (DEA), an arm of the federal government, requires this screening.

2. Who needs to complete a Criminal History Check for drug related offenses?

All Principal Investigators, staff, students or volunteers who handle controlled substances in the course of University research will be required to complete **Section A1 or A2: Controlled Substances Usage Personnel Screening Form prior to being authorized to work with controlled substances which is currently UC and UCI policy. Effective August 1, 2014, the DEA will be conducting their own criminal history check for drug related offenses on all individuals that handle or have access to controlled substances.** Per the DEA, new forms will need to be completed and forwarded to the EH&S Controlled Substances staff who will then forward the form to the DEA upon request. The EH&S Controlled Substances staff will ensure that individuals have completed correctly the forms, required training and documentation as required by campus policies and procedures before individuals will be granted access.

As new DEA registrations are requested and approved, the DEA will be requiring those new forms: New CSUA application and new personnel screening forms. The EH&S Controlled Substances staff will notify each group accordingly.

3. I'm a faculty member. I thought faculty members were exempt from any Criminal History Check or Background Checks.

In the normal course of campus business, faculty members are indeed exempt from Background Checks or Criminal History Check. However, the use of controlled substances is governed by federal regulations which overrule University policy. You are not getting the Criminal History Check based on your faculty status but because you wish to conduct research using controlled substances. The DEA is only interested in drug related offenses.

If there is a criminal history involving drugs, that information will be evaluated internally by the DEA and a decision will be made as to whether or not the individual should have controlled substance access. The DEA will not give the campus any information about the specifics of why a person is disapproved.

4. How do I find out about the results of any criminal history check for drug related offenses?

If you have no criminal history, you will not be notified. If the criminal history check reveals a history, the DEA will determine if you are cleared to have access or no access. No other information will be provided to UCI staff or Faculty.

5. Does a criminal conviction make me ineligible to work with controlled substances?

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Not necessarily. It will be determined by the DEA whether any criminal convictions have relevance to your use of controlled substances in research. A conviction for narcotics abuse and/or sale within the last five years would preclude you from being eligible to work with controlled substances; other convictions may not.

6. Are the results of my criminal history check confidential?

Yes, only the DEA will know the results. The DEA will notify the EH&S Controlled Substance Coordinator only when the individual cannot have access. No other information will be given to anyone on campus.

7. How far back does the check for criminal convictions go? Will it include all convictions?

The DEA criminal history checks automatically report all past criminal convictions in a person's history, unless restricted by contract or law. Only drug related convictions within the past five years will be considered by the DEA but this is on a case by case basis.

8. How soon can the DEA grant approval for individuals to start using controlled substances?

Access can be granted immediately as long as the individuals fill out their forms, take the required training, are approved by the PI and are screened by UCI as per 21 CFR 1301.90-93. The DEA will notify the EH&S Controlled Substance coordinator only when the individual cannot have access.