



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

Operating Policy and Procedure

HSCEP OP: 10.28, **Volunteers**

PURPOSE: The purpose of this Texas Tech University Health Sciences Center El Paso Operating Policy is to establish requirements for individuals who provide volunteer services at Texas Tech University Health Sciences Center El Paso (TTUHSCEP).

REVIEW: This HSCEP OP will be reviewed on November 1 of each odd numbered year (ONY) by the Executive Director of Human Resources, the Institutional Compliance Officer, and the Associate General Counsel, with recommendations for revision submitted to the President by January 1 for approval.

POLICY/PROCEDURE:

1. Definitions.

- a. TTUHSCEP Volunteers. TTUHSCEP Volunteers are uncompensated individuals who perform services directly related to the business of TTUHSCEP, support the activities of TTUHSCEP or gain experience in specific endeavors at TTUHSCEP. All volunteer opportunities must be entered into without promise or expectation of compensation, future employment or other tangible benefit. TTUHSCEP Volunteers include visiting professors¹, researchers and/or medical personnel who are not employed by, or do not have faculty appointments at, TTUHSCEP. Volunteers also include children of faculty or staff performing services on behalf of TTUHSCEP. For purposes of compliance under the privacy provisions of the Health Insurance Portability and Accountability Act, TTUHSCEP Volunteers are part of the TTUHSCEP workforce, but are **not** considered employees for any purpose and are **not** covered by the Fair Labor Standards Act. As a result of this volunteer association with TTUHSCEP, they are **not** eligible for any TTUHSCEP benefits and are **not** covered by or eligible for Workers' Compensation. **All TTUHSCEP Volunteers must be at least 14 years of age.**

For purposes of this policy, TTUHSCEP Volunteers do **not** include the following (this is not an exhaustive list):

- 1) Individuals acting as members of officially-sanctioned university support organizations;
- 2) Individuals who are enrolled as students at TTUHSCEP or are accepted into a residency program at TTUHSCEP for the purpose of providing services to meet course requirements or to earn course credit;
- 3) Individuals who are enrolled in academic programs at TTUHSCEP who are participating in activities as part of their TTUHSCEP course curriculum;
- 4) Students from institutions of secondary or higher education that are participating as a part of an officially sanctioned educational agreement with TTUHSCEP, or are engaged in an educational tour conducted by TTUHSCEP staff;

¹ This policy does not apply to individuals providing limited educational services, such as conference presenters or guest lecturers outside the laboratory setting.

- 5) Individuals who are visiting fellows;
- 6) Individuals who seek unpaid academic or research faculty appointments at TTUHSCEP;
- 7) Individuals who serve on TTUHSCEP Committees as a community representative members.

To determine whether an individual should be classified as a TTUHSCEP Volunteer, one may contact the Volunteer Manager for the School and/or campus involved.

- b. Volunteer Manager. The Volunteer Manager is the individual responsible for selecting, managing, registering and overseeing TTUHSCEP Volunteers in accordance with this policy. Each School and/or Regional Campus/Academic Center shall designate an individual as the Volunteer Manager for the School or Regional Campus/Academic Center.
- c. Volunteer Supervisor. The Volunteer Supervisor is the faculty or staff member identified by the School/Department to receive the volunteer services. The Volunteer Supervisor is responsible for supervising TTUHSCEP Volunteers who provide the volunteer service. A Volunteer Supervisor may supervise more than one Volunteer at any given time. To the same extent, one Volunteer may be supervised by more than one faculty or staff member.

2. Selection and Registration of TTUHSCEP Volunteers.

- a. Authority to Select and Register TTUHSCEP Volunteers. All TTUHSC Volunteers must be processed and registered by the Volunteer Manager at the Regional Location where the TTUHSCEP Volunteers will be providing volunteer services. Faculty and staff **DO NOT HAVE THE AUTHORITY** to engage or take on Volunteers in the department without first going through the Volunteer Manager at the Regional location. Failure to comply with this policy may result in disciplinary action and/or personal liability.
- b. Eligibility Requirements of TTUHSCEP Volunteers. Persons 14 years or older, including retired employees, students, alumni, and others may apply to provide volunteer services to TTUHSCEP.
- c. Ineligibility as TTUHSCEP Volunteers. The following individuals may not volunteer services to, or on behalf of, TTUHSCEP:
 - 1) Individuals who have been dismissed previously for cause from employment at TTUHSCEP;
 - 2) TTUHSC employees whose employment is essentially the same as, or is similar to, their regular work at TTUHSCEP; and
 - 3) Foreign nationals who require an export license where the volunteer services involve access to export controlled information or equipment.
- d. Observers/Shadowing. In the absence of a School/campus policy, this policy shall apply to individuals identified by a department or TTUHSCEP health care provider for persons who observe or shadow a TTUHSCEP health care provider in a TTUHSCEP clinic. **Those who observe or shadow a health care provider are prohibited from patient care services.** Nothing in this policy prohibits a School/campus from establishing a separate, written process/procedure for individuals who wish to observe or shadow health care providers provided that individuals who observe or shadow a health care provider

shall not provide patient care services, and shall receive HIPAA privacy and appropriate safety training. (SOM Ambulatory Care Policies and Procedures 9.50G)

- e. Animal Therapy Program. It is the purpose of the Animal Therapy Program at TTUHSCEP to provide positive benefit to the patients. Animal visitation can benefit patients and help to enable the patient to return to wellness. (SOM Ambulatory Care Policies and Procedures 9.50H)
- f. Students from Medical Schools not Accredited by the LCME. Medical students or physicians in training from unapproved medical schools will not be permitted as observers/volunteers in any of the TTUHSCEP GME programs because of the heightened awareness of potential malpractice claims and violation of the Medical Practice Act and Licensure rules of the Texas Medical Board. Should programs wish to provide additional training and/or orientation prior to residents' initial day of residency, the PLFSOM GME pre- intern policy will be applicable.
- g. Application Process. A signed and dated Volunteer Application shall be submitted to the Volunteer Manager by each individual seeking to be a TTUHSCEP Volunteer.
 - 1) Individuals who apply for a Volunteer position and who are 14 to 17 years of age shall complete a Volunteer Application for Teen Program – UNDER 18 (Attachment A). The Teen Program allows individuals who are 14 to 17 years of age to provide certain low-risk services (no access to electronic confidential information, hazardous/dangerous areas, or use of machinery, etc.
 - 2) Individuals who apply for a Volunteer position and who are 18 years of age or older, shall complete an Adult Volunteer Application (Attachment B).
- h. Interview. The Volunteer Manager shall interview individuals applying for TTUHSCEP Volunteer positions. Interviews may be by phone or in person.
- i. Sanction Check. The Volunteer Manager shall check individual applicants' names against the Government Services Administration (GSA) Excluded Parties List System (EPLS) located at: <https://www.sam.gov/portal/public/SAM/>. Individuals listed on the GSA EPLS list shall not be allowed to provide volunteer services to TTUHSCEP.
- j. Notification. The Volunteer Manager shall notify the TTUHSCEP Volunteer applicants of their selection (or denial) as TTUHSCEP Volunteers.
- k. Volunteer Agreement or Parental Consent. Once individuals have been approved to serve as TTUHSCEP Volunteers, the Volunteer Manager shall obtain the following documents:
 - 1) Teen Volunteer Participation Authorization (minor consent form) (Attachment C) for individuals 14 to 17 years of age, signed by the volunteers and their parent/legal guardian;
 - 2) Voluntary Service Agreement (Attachment D) signed by all Volunteers;
 - 3) Confidentiality Agreement;
 - 4) Background Check;
 - 5) Safety Training; and
 - 6) Appropriate Vaccinations

- I. Change in Status from TTUHSCEP Volunteer to TTUHSCEP Employee. In the event of a change in status from a TTUHSCEP Volunteer to a paid position at any Texas government agency, including TTUHSCEP, no credit will be given to any former TTUHSCEP Volunteer for time spent in a volunteer status with respect to benefit or retirement programs.

3. **Responsibilities of TTUHSCEP Volunteers.**

- a. TTUHSCEP Volunteers shall comply with all TTU System *Regents' Rules* (<http://www.texastech.edu/bor/rules.php>), TTUHSCEP Operating Policies and Procedures (<http://www.ttuhsce.edu/hsc/op/>), and applicable federal and state laws and regulations that govern their conduct.
- b. TTUHSCEP Volunteers shall **not**:
 - 1) Violate confidentiality regarding protected health information, student information, research information, proprietary information, or other confidential activities in which they may be involved or possess;
 - 2) Provide treatment or patient care services to patients including, but not limited to medical examinations, obtaining patient histories, performing procedures, witnessing documents, chaperoning patients, providing translation services, or participating in any decision concerning patient care, treatment or management;
 - 3) Write orders or notes in patient charts; give oral health care orders for medical services or tests for patients;
 - 4) Obtain patient consent for health care services;
 - 5) Obtain human subjects' consent;
 - 6) Obligate TTUHSCEP financially or suggest or imply that they are acting with the authority TTUHSCEP.
- c. Confidentiality. TTUHSCEP is a public institution of higher education that conducts research and provides education and health care services, and as such, is governed by federal and state laws regarding confidentiality of patient records, student records and financial records including, but not limited to, the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, and the Gramm- Leach Bliley Act of 1999). TTUHSCEP Volunteers shall sign a Confidentiality Agreement in accordance with HSC OP 52.09 agreeing to not access, discuss or disclose confidential information, including but not limited to, patient and/or student information without specific authorization. TTUHSCEP Volunteers who violate this confidentiality provision shall be immediately removed from the volunteer program.
- d. TTUHSCEP Property. TTUHSCEP Volunteers are not authorized to have TTUHSCEP pagers, voice mail, travel privileges, cell phones, lap top computers or any other privileges associated with being a TTUHSCEP employee. TTUHSCEP e-mail access may only be granted if it is required as part of the service to TTUHSCEP.

4. **Responsibilities of TTUHSCEP Volunteer Manager.**

- a. In-Take. Before TTUHSCEP Volunteers can begin providing services at TTUHSCEP, the following items must be completed.

- 1) Education and Training. The Volunteer Manager is responsible for ensuring TTUHSCEP Volunteers receive the following education/training:
 - General Volunteer orientation including, but not limited to, a description of the TTUHSCEP Volunteers' duties and providing them a copy of this policy;
 - HIPAA Training;
 - Security Training, if applicable – HSCEP OP 52.02;
 - Training regarding the Health Surveillance Program for TTUHSCEP Institutional Health & Infection Control Program - HSCEP OP 75.11;
 - Safety Training from TTUHSCEP Safety Services;
 - Employment Background Screening Policy - HSCEP OP 70.20;
 - Any other Training that may be required based on the volunteer services to be provided, which shall be determined by the Volunteer Manager.
 - 2) Medical Surveillance. Pursuant to HSCEP OP 75.11, the Volunteer Manager shall notify Human Resources regarding TTUHSC Volunteers. They shall be responsible for providing clearance for each TTUHSCEP Volunteer to the Volunteer Manager before volunteers are allowed to provide volunteer services for TTUHSCEP.
 - 3) Documentation & Verification. The Volunteer Manager shall obtain written verification from TTUHSCEP Volunteers that they have completed the required education/training and received required testing and/or immunizations from the.
- b. In Processing. The Volunteer Manager shall:
- 1) Provide the Volunteer Supervisor within the School or Department of the TTUHSCEP the names of Volunteers who will be providing volunteer services;
 - 2) Provide TTUHSCEP Volunteers with the names of their Volunteer Supervisor, the start and completion dates (generally not to exceed one calendar year), goals and anticipated activities, and potential areas of security/confidentiality;
 - 3) Process the TTUHSCEP Volunteer badge documentation for identification purposes only. This shall be done only after successful completion of required training as outlined in this policy.
 - 4) Provide TTUHSCEP Safety Services the names of all TTUHSCEP Volunteers who will be providing services in TTUHSCEP laboratories.
- c. Termination of TTUHSCEP Volunteer Services. Upon termination of TTUHSCEP Volunteers' services, the Volunteer Manager shall:
- 1) Notify TTUHSCEP Safety Services of the date of termination for TTUHSCEP Volunteers providing services in laboratories; and
 - 2) Make arrangements for ending services and terminating any privileges granted by TTUHSCEP (i.e., return of ID badge, parking);
- d. Verification of Volunteer Hours. The Volunteer Manager shall document hours provided by TTUHSCEP Volunteers as reported by the Volunteers (in the manner determined by the Volunteer Manager). Time served as a Volunteer shall **not** be included in Visa applications for purposes of showing experience and/or employment history. Non-compliance with reporting of hours donated may be cause for dismissal from current and/or future volunteer assignments.

- e. Retention of Volunteer Records. The Volunteer Manager shall retain all forms, educational and tracking materials pertaining to TTUHSCEP Volunteers for a period of at least three (3) years from the date TTUHSCEP Volunteers are no longer providing volunteer services to TTUHSCEP.

5. Responsibilities of the Volunteer Supervisor.

- a. The Volunteer Supervisor shall complete and sign the Departmental Checklist (Attachment E), and return it to the Volunteer Manager. In addition, The Volunteer Supervisor shall provide the following information to TTUHSCEP Volunteers:
 - 1) Orientation to the Department. This includes, but is not limited to:
 - i. Functions of Department;
 - ii. Relation of Department to other areas/departments;
 - iii. Department/Facility tour;
 - iv. Department Policy Manual, including infection control policies and procedures and other relevant policies;
 - v. Filing incident reports; and
 - vi. Any restrictions on eating, drinking or chewing gum.
 - 2) Safety/Fire/Disaster Plan. This includes, but is not limited to the:
 - i. Department's role;
 - ii. TTUHSCEP Volunteer's role;
 - iii. Location and use of fire extinguishers and fire alarm boxes; and
 - iv. Evacuation routes and procedures to follow in case of an emergency
 - 3) Access Rights. This includes, but is not limited to, access to information systems and access to controlled rooms or laboratories.
 - 4) Specific Job Duties/Responsibilities of TTUHSCEP Volunteers; and
 - 5) Additional training related to the area in which TTUHSCEP Volunteers will be providing services (i.e., working with equipment/hazardous substances).
- b. Addition to Research Protocols. The TTUHSCEP Volunteer Supervisor is responsible for making sure that TTUHSCEP Volunteers on research projects are properly added to the protocol as approved by the appropriate research oversight committees (e.g., Institutional Review Board, Institutional Biosafety Committee, Institutional Animal Care and Use Committee, Radiation Safety Committee) BEFORE they are allowed to participate in the research activity.
- c. Evaluations of the TTUHSCEP Volunteer. The TTUHSCEP Volunteer Supervisor shall provide ongoing informal evaluations of TTUHSCEP Volunteers for performance improvement. In addition, at least annually, the Volunteer Supervisor shall evaluate the Volunteers using the Volunteer Competency and Performance Evaluation (Attachment F). All Competency Evaluations shall be forwarded to the Volunteer Manager for the School/Regional campus. Any requests for Competency Evaluations or information regarding TTUHSCEP Volunteers, such as references, should be directed to the Volunteer Manager.
- d. Termination. The TTUHSCEP Volunteer Supervisor shall notify the TTUHSCEP Volunteer Manager when TTUHSCEP Volunteers are no longer providing services to the School or Department. The Volunteer Supervisor is responsible for terminating any access privileges given to TTUHSCEP Volunteers, i.e. IT access; room access.

6. Separation or Termination of TTUHSCEP Volunteers.

TTUHSCEP Volunteers provide services at the sole discretion of the TTUHSCEP. TTUHSCEP may, at any time and for whatever reason, and at its sole discretion, terminate TTUHSCEP Volunteers' relationship with TTUHSCEP.

7. **Right to Change Policy**

TTUHSCEP reserves the right to interpret, change, modify, amend or rescind this policy in whole or in part at any time without the consent of employees, faculty or students.