



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 (TTUHSC EP).

REVIEW: This HSCEP OP will be reviewed in November of each odd numbered year (ONY) by the Vice President of Human Resources, the Institutional Compliance Officer, and the Associate General Counsel, with recommendations for substantial revision submitted to the President -.

POLICY/PROCEDURE:

1. Definitions.

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

For purposes of this policy, TTUHSC EP 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 TTUHSC EP or are accepted into a residency program at TTUHSC EP for the purpose of providing services to meet course requirements or to earn course credit;
- 3) Individuals who are enrolled in academic programs at TTUHSC EP who are participating in activities as part of their TTUHSC EP course curriculum;
- 4) Students from other institutions of secondary or higher education that are participating as a part of an officially sanctioned educational agreement with TTUHSC EP, or are engaged in an educational tour conducted by TTUHSC EP 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 TTUHSC EP;
- 7) Individuals who serve on TTUHSC EP Committees as a community representative members.

To determine whether an individual should be classified as a TTUHSC EP 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 TTUHSC EP 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 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 TTUHSC EP 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 TTUHSC EP Volunteers.

- a. Authority to Select and Register TTUHSC EP Volunteers. All TTUHSC Volunteers must be processed and registered by the Volunteer Manager at the Location where the TTUHSC EP 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 appropriate Volunteer Manager. Failure to comply with this policy may result in disciplinary action and/or personal liability.
- b. Eligibility Requirements of TTUHSC EP Volunteers. Persons 14 years or older, including retired employees, students, alumni, and others may apply to provide volunteer services to TTUHSC EP. Volunteers must offer their services without any promise, expectation or receipt of compensation for services or future employment.
- c. Foreign nationals must have a non-immigrant visa or evidence of lawful presence in the USA in order to engage in volunteer activities. TTUHSC EP's Immigration Office ?? will review visa status and lawful presence at the request of the Volunteer Manager or Director.
 - 1) Foreign nationals and non-immigrant visa holders may only accept reimbursement for actual expenses and may not be paid reasonable benefits or a nominal fee, as this may be considered performing services for compensation and be considered employment;
 - 2) Foreign nationals and non-immigrant visa holders are not allowed to 'temporarily' volunteer in a position in which they were previously employed, or will be employed, by TTUHSC EP.
 - 3) If a foreign national's volunteer activity is expected to last for more than 90 days, the TTUHSC EP Immigration Office must be contacted.
- d. Ineligibility as TTUHSC EP Volunteers. The following individuals may not volunteer services to, or on behalf of, TTUHSC EP:
 - 1) Individuals who have been dismissed previously for cause from employment at

- 2) TTUHSC EP;
TTUHSC EP employees whose employment is essentially the same as, or is similar to, their regular work at TTUHSC EP; and
 - 3) Foreign nationals who require an export license where the volunteer services involve access to export controlled information or equipment.
 - 4) Any individual listed on the Office of Foreign Assets Control's Specially Designated Nationals and Blocked Persons list
- e. Observers/Shadowing. In the absence of a School/campus policy, this policy shall apply to individuals identified by a department or TTUHSC EP health care provider for persons who observe or shadow a TTUHSC EP health care provider in a TTUHSC EP 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)
- f. Animal Therapy Program. It is the purpose of the Animal Therapy Program at TTUHSC EP 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) An individual seeking to provide Animal Therapy shall register with the campus Volunteer Manager or Director prior to bringing a therapy animal onto TTUHSC premises (Attachment G).
- g. 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 TTUHSC EP 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. Individuals given approval under this operating policy to observe or shadow a health care provider shall not provide patient care services.
- h. Application Process. A signed and dated Volunteer Application shall be submitted to the Volunteer Manager by each individual seeking to be a TTUHSC EP 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).
- i. Interview. The Volunteer Manager shall interview individuals applying for TTUHSC EP Volunteer positions. Interviews may be by phone or in person.
- j. Sanction Check. The Volunteer Manager shall check individual applicants' names against the Government Services Administration (GSA) Excluded Parties List System (EPLS) located at: and the Office of Inspector General Exclusion List located at:

<https://exclusions.oig.hhs.gov/> and the Texas Exclusions Database at <https://oig.hhsc.state.tx.us/oigportal2/Exclusions>. Individuals listed on either the GSA EPLS list, the OIG list or Texas Exclusion list shall not be allowed to provide volunteer services to TTUHSC EP.

- k. Notification. The Volunteer Manager shall notify the TTUHSC EP Volunteer applicants of their selection (or denial) as TTUHSC EP Volunteers.
- l. Volunteer Agreement or Parental Consent. Once individuals have been approved to serve as TTUHSC EP 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
- m. Change in Status from TTUHSC EP Volunteer to TTUHSC EP Employee. In the event of a change in status from a TTUHSC EP Volunteer to a paid position at any Texas government agency, including TTUHSC EP, no credit will be given to any former TTUHSC EP Volunteer for time spent in a volunteer status with respect to benefit or retirement programs.

3. **Responsibilities of TTUHSC EP Volunteers.**

- a. TTUHSC EP Volunteers shall comply with all TTU System *Regents' Rules* (<http://www.texastech.edu/bor/rules.php>), TTUHSC EP Operating Policies and Procedures (<http://www.ttuhsce.edu/hsc/op/>), and applicable federal and state laws and regulations that govern their conduct.
- b. TTUHSC EP 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 TTUHSC EP financially or suggest or imply that they are acting with the authority TTUHSC EP.
- c. Confidentiality. TTUHSC EP 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). TTUHSC EP 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. TTUHSC EP Volunteers who violate this confidentiality provision shall be immediately removed from the volunteer program.
- d. TTUHSC EP Property. TTUHSC EP Volunteers are not authorized to have TTUHSC EP pagers, voice mail, travel privileges, cell phones, lap top computers or any other privileges associated with being a TTUHSC EP employee. TTUHSC EP e-mail access may only be granted if it is required as part of the service to TTUHSC EP.

4. **Responsibilities of TTUHSC EP Volunteer Manager.**

- a. In-Take. Before TTUHSC EP Volunteers can begin providing services at TTUHSC EP, the following items must be completed.
 - 1) Education and Training. The Volunteer Manager is responsible for ensuring TTUHSC EP Volunteers receive the following education/training:
 - General Volunteer orientation including, but not limited to, a description of the TTUHSC EP 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 TTUHSC EP Institutional Health & Infection Control Program - HSCEP OP 75.11;
 - Safety Training from TTUHSC EP 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 TTUHSC EP Volunteer to the Volunteer Manager before volunteers are allowed to provide volunteer services for TTUHSC EP.
 - 3) Documentation & Verification. The Volunteer Manager shall obtain written verification from TTUHSC EP 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 TTUHSC EP the names of Volunteers who will be providing volunteer services;
 - 2) Provide TTUHSC EP 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 TTUHSC EP 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 TTUHSC EP Safety Services the names of all TTUHSC EP Volunteers who will be providing services in TTUHSC EP laboratories.
- c. Termination of TTUHSC EP Volunteer Services. Upon termination of TTUHSC EP Volunteers' services, the Volunteer Manager shall:
- 1) Notify TTUHSC EP Safety Services of the date of termination for TTUHSC EP Volunteers providing services in laboratories; and
 - 2) Make arrangements for ending services and terminating any privileges granted by TTUHSC EP (i.e., return of ID badge, parking);
- d. Verification of Volunteer Hours. The Volunteer Manager shall document hours provided by TTUHSC EP 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 TTUHSC EP Volunteers for a period of at least three (3) years from the date TTUHSC EP Volunteers are no longer providing volunteer services to TTUHSC EP.

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 TTUHSC EP 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. TTUHSC EP 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 TTUHSC EP Volunteers; and

- 5) Additional training related to the area in which TTUHSC EP Volunteers will be providing services (i.e., working with equipment/hazardous substances).
- b. Addition to Research Protocols. The TTUHSC EP Volunteer Supervisor is responsible for making sure that TTUHSC EP 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 TTUHSC EP Volunteer. The TTUHSC EP Volunteer Supervisor shall provide ongoing informal evaluations of TTUHSC EP 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 TTUHSC EP Volunteers, such as references, should be directed to the Volunteer Manager.
- d. Termination. The TTUHSC EP Volunteer Supervisor shall notify the TTUHSC EP Volunteer Manager when TTUHSC EP Volunteers are no longer providing services to the School or Department. The Volunteer Supervisor is responsible for terminating any access privileges given to TTUHSC EP Volunteers, i.e. IT access; room access.
6. **Separation or Termination of TTUHSC EP Volunteers.**
TTUHSC EP Volunteers provide services at the sole discretion of the TTUHSC EP. TTUHSC EP may, at any time and for whatever reason, and at its sole discretion, terminate TTUHSC Volunteers' relationship with TTUHSC EP.
7. **Right to Change Policy and/or Attachments**
TTUHSC EP 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.

ATTACHMENTS:

- A. Volunteer Application for Minors
- B. Adult Volunteer or Observer/Job Shadow Application
- C. Volunteer Participation Authorization for Minors
- D. Volunteer Service Agreement Release
- E. Departmental Volunteer Orientation Checklist
- F. Volunteer Competency and Performance Evaluation
- G. Animal Therapy Program