HSC OP: 10.28, Volunteers

PURPOSE: The purpose of this HSC OP is to establish requirements for individuals who provide volunteer services at Texas Tech University Health Sciences Center (TTUHSC).

REVIEW: This HSC OP will be reviewed on November 1 of each odd numbered year (ONY) by the Director of Volunteer Services, the Institutional Compliance Officer, and the Senior Associate General Counsel, with recommendations for revision forwarded to the President by January 1 for approval.

POLICY/PROCEDURE:

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

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

   1) Individuals acting as members of officially-sanctioned university support organizations;
   2) Any individual enrolled at TTUHSC as a student to earn course credit or to otherwise participate in TTUHSC academic programs, or who is accepted into a TTUHSC residency program.
   3) Students from other institutions of secondary or higher education that are participating as a part of an officially sanctioned educational agreement with TTUHSC, or are engaged in an educational tour conducted by TTUHSC staff;
   4) Individuals who are visiting fellows;
   5) Individuals who seek unpaid academic or research faculty appointments at TTUHSC;
   6) Individuals who serve on TTUHSC Committees as a community representative members.

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

2 Regarding minors, see also other operating policies including, but not limited to, HSC OP 73.15, Minors in Research Laboratories, and HSC OP 70.59, Youth Camps.
To determine whether an individual should be classified as a TTUHSC Volunteer, contact the Volunteer Manager or Director of Volunteer Services at the campus involved.

b. Volunteer Manager or Director of Volunteer Services. The Volunteer Manager or Director is the individual responsible for selecting, managing, registering and overseeing TTUHSC Volunteers in accordance with this policy. A Volunteer Manager or Director shall be designated for each campus to oversee the volunteer program.

c. Volunteer Supervisor. The Volunteer Supervisor is the faculty or staff member identified by a School or Department to receive the volunteer services. Each Volunteer Supervisor is responsible for supervising TTUHSC Volunteers who provide the volunteer service in that School or Department. 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 Volunteers.

a. Authority to Select and Register TTUHSC Volunteers. All TTUHSC Volunteers must be processed and registered by the Volunteer Manager or Director at the applicable campus where the TTUHSC 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 campus Volunteer Manager or Director. Failure to comply with this policy may result in disciplinary action and/or personal liability.

b. Eligibility Requirements of TTUHSC Volunteers. Persons 14 years or older, including retired employees, students, alumni, and others may submit an application to provide volunteer services to TTUHSC.

c. Ineligibility as TTUHSC Volunteers. The following individuals are not eligible to be Volunteers at or on behalf of, TTUHSC:

1) Individuals who have been dismissed previously for cause from employment at TTUHSC;

2) TTUHSC employees whose volunteer services are essentially the same as, or similar to, their regular work at TTUHSC; and

3) Foreign nationals who require an export license where the volunteer services involve access to export controlled information or equipment.

d. Observers (also called Shadowing). In the absence of a School or campus policy, this operating policy shall apply to individuals identified by a department or TTUHSC health care provider for persons who observe or shadow a TTUHSC health care provider in a TTUHSC clinic. Those who observe or shadow a health care provider are prohibited from patient care services. Nothing in this operating policy prohibits a School or campus from establishing a separate, written process or procedure to document that individuals who wish to observe or shadow health care providers shall not provide patient care services, and shall receive HIPAA privacy and appropriate safety training prior to initiating observation or shadowing activities.

e. Animal Therapy Program. It is the purpose of the Animal Therapy Program at TTUHSC 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) Any individual seeking to provide Animal Therapy shall register with the campus Volunteer Manager or Director prior to bringing a therapy animal onto TTUHSC premises.
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 in any of the TTUHSC 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 School of Medicine Graduate Medical Education Observers 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.**

g. **Application Process.** A signed and dated Volunteer Application shall be submitted to the Volunteer Manager or Director by each individual seeking to be a TTUHSC Volunteer.

1) Individuals who apply for a Volunteer position and who are 14 to 17 years of age shall complete a Volunteer Application for Minors (Attachment A to this OP). The volunteer program allows individuals who are 14 to 17 years of age to provide certain low-risk services (no access to electronic confidential information, hazardous or 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 to this OP).

h. **Interview.** The Volunteer Manager or Director shall interview individuals applying for TTUHSC Volunteer positions. Interviews may be by phone or in person.

i. **Sanction Check.** The Volunteer Manager or Director shall check individual applicants’ names against the Office of Inspector General’s (OIG) List of Excluded Individuals and Entities (LEIE) located at [https://exclusions.oig.hhs.gov](https://exclusions.oig.hhs.gov) and the Texas Exclusions Database at [http://oig.hhsc.state.tx.us/oigportal/exclusions.aspx](http://oig.hhsc.state.tx.us/oigportal/exclusions.aspx). The Volunteer Manager or Director shall promptly notify the ICO if a volunteer applicant is listed on the either Federal or Texas OIG exclusion list. Names of Volunteers at each campus will also be checked monthly against these databases by the TTUHSC Human Resources Department.

j. **Notification.** The Volunteer Manager or Director shall notify the TTUHSC Volunteer applicants of their selection (or denial) as TTUHSC Volunteers.

k. **Volunteer Agreement or Parental Consent.** Once individuals have been approved to serve as TTUHSC Volunteers, the Volunteer Manager or Director shall obtain the following documents:

1) Volunteer Participation Authorization for Minors (minor consent form) (Attachment C to this OP) for individuals 14 to 17 years of age, signed by the volunteers and their parent/legal guardian;

2) Voluntary Service Agreement (Attachment D to this OP) signed by all Volunteers or, for minors, their parent or guardian;

3) Confidentiality Agreement;

4) Background Check;

5) Safety Training; and

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

3. **Responsibilities of TTUHSC Volunteers.**

   a. TTUHSC Volunteers shall comply with all TTU System Regents’ Rules (http://www.texastech.edu/bor/rules.php), TTUHSC Operating Policies and Procedures (http://www.ttuhsc.edu/hsc/op/), and applicable federal and state laws and regulations that govern their conduct.

   b. TTUHSC 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 financially or suggest or imply that they are acting with the authority TTUHSC.

   c. **Confidentiality.** TTUHSC 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 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 Volunteers who violate this confidentiality provision shall be immediately removed from the volunteer program.

   d. **TTUHSC Property.** TTUHSC Volunteers are not authorized to have TTUHSC pagers, voice mail, travel privileges, cell phones, lap top computers or any other privileges associated with being a TTUHSC employee. TTUHSC e-mail access may only be granted if it is required as part of the service to TTUHSC.

4. **Responsibilities of TTUHSC Volunteer Manager or Director of Volunteer Services.**

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

      1) **Education and Training.** The Volunteer Manager or Director is responsible to coordinate that TTUHSC Volunteers receive the following education and training:
i. General Volunteer orientation including, but not limited to, a description of the TTUHSC Volunteers’ duties and providing each Volunteer them a copy of this operating policy;
ii. HIPAA Training;
iii. Security Training, if applicable – HSC OP 52.02;
iv. Training regarding the Health Surveillance Program for TTUHSC Institutional Health & Infection Control Program - HSC OP 75.11;
v. Safety Training from TTUHSC Safety Services;
vi. Employment Background Screening Policy - HSC OP 70.20;
vii. Any other training that may be required based on the type of volunteer services to be provided, which shall be determined by the Volunteer Manager or Director.

2) Medical Surveillance. Pursuant to HSC OP 75.11, the Volunteer Manager or Director shall forward information about each Volunteer to the campus Regional Institutional Personnel Health Unit. The Regional Institutional Personnel Health Unit is responsible to provide written confirmation of clearance for each TTUHSC Volunteer to the Volunteer Manager or Director before any Volunteer is allowed to provide volunteer services for TTUHSC.

3) Documentation & Verification. The Volunteer Manager or Director shall require each Volunteer applicant to acknowledge receipt of the TTUHSC volunteer requirements which must be fulfilled prior to starting as a volunteer. The Volunteer Manager or Director is responsible to verify that all requirements are met and to make a final approval or denial decision.

b. In Processing. The Volunteer Manager or Director shall:

1) Provide the Volunteer Supervisor within the School or Department of the TTUHSC the names of Volunteers who will be providing volunteer services;

2) Provide TTUHSC 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 or confidentiality;

3) Process the TTUHSC Volunteer badge documentation for identification purposes only. This shall be done only after successful completion of required training as set forth in this operating policy.

4) Provide TTUHSC Safety Services the names of all TTUHSC Volunteers who will be providing services in TTUHSC laboratories.

c. Termination of TTUHSC Volunteer Services. Upon termination of a TTUHSC Volunteer’s services, the Volunteer Manager or Director shall:

1) Notify TTUHSC Safety Services of the date of termination for TTUHSC Volunteers providing services in laboratories; and

2) Make arrangements for ending services and terminating any privileges granted by TTUHSC (i.e., return of ID badge, parking);

d. Verification of Volunteer Hours. The Volunteer Manager or Director shall document hours provided by TTUHSC Volunteers as reported by the Volunteers (in the manner determined by the Volunteer Manager or Director). 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 either current or future volunteer assignments.
e. **Retention of Volunteer Records.** The Volunteer Manager or Director shall retain all forms, educational and tracking materials pertaining to TTUHSC Volunteers for a period of at least three (3) years from the completion date that TTUHSC Volunteers are no longer providing volunteer services to TTUHSC.

5. **Responsibilities of the Volunteer Supervisor.**

a. The Volunteer Supervisor shall complete and sign the Departmental Checklist for Volunteer Orientation (Attachment E to this OP), and return it to the Volunteer Manager or Director. In addition, The Volunteer Supervisor shall provide the following information to TTUHSC 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:
   i. Department’s role;
   ii. TTUHSC 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 Privileges.** This includes, but is not limited to, access to information systems and access to controlled rooms or laboratories.

4) **Specific Job Duties and Responsibilities** of TTUHSC Volunteers; and

5) **Additional training** related to the area in which TTUHSC Volunteers will be providing services (i.e., working with equipment/hazardous substances).

b. **Addition to Research Protocols.** The TTUHSC Volunteer Supervisor is responsible to confirm that TTUHSC 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 a Volunteer is allowed to participate in the research activity.

c. **Evaluations of the TTUHSC Volunteer.** The TTUHSC Volunteer Supervisor shall provide ongoing informal evaluations of TTUHSC 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 to this OP). All Competency Evaluations shall be forwarded to the Volunteer Manager or Director for the School/Regional campus. Any requests for Competency Evaluations or information regarding TTUHSC Volunteers, such as references, shall be directed to the Volunteer Manager or Director.

d. **Termination.** The TTUHSC Volunteer Supervisor shall notify the TTUHSC Volunteer Manager or Director when TTUHSC Volunteers are no longer providing services to the School or Department. The Volunteer Supervisor is responsible for terminating any access privileges given to TTUHSC Volunteers, i.e. IT access; room access.
6. **Separation or Termination of TTUHSC Volunteers.**

TTUHSC Volunteers provide services at the sole discretion of the TTUHSC. TTUHSC may, at any time, with or without cause, and at its sole discretion, terminate any TTUHSC Volunteer’s relationship with TTUHSC.

7. **Right to Change Policy**

TTUHSC reserves the right to interpret, change, modify, amend or rescind this operating 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 Application  
C. Volunteer Participation Authorization for Minors  
D. Volunteer Service Agreement Release, Hold Harmless and Indemnification  
E. Departmental Checklist for Volunteer Orientation  
F. Volunteer Competency and Performance Evaluation