

# DATA OWNERSHIP, PROTECTION AND COMPLIANCE WHEN HIRING HEALTHCARE STUDENTS

## DID YOU KNOW?

**Collecting** and **reviewing** data from the pool of talented students attending your clinical rotations is an innovative way to search for outstanding future employees. But student data — just like personal data connected to *any* individual — is fiercely protected by law and requires **impactful data management** that doesn't compromise **data safety, rights** and **ownership** as it passes between the individual, your educational partners and your healthcare facility.

## 8 COMPLIANCE LANDMINES TO AVOID BEYOND HIPAA

### Family Educational Rights and Privacy Act (FERPA)

- Schools may use certain directory information; but individuals have the right to know which details are being used and give their consent
- Understanding what information can be shared is essential, as is properly securing consent and providing the time and means to correct an individual's records upon request

### Fair Credit Reporting Act (FCRA)

- There are certain ways an individual's data can be collected and used for different purposes including employment, but it must be protected
- Specific legal obligations apply to the stakeholders providing the individual's data

### General Data Protection Regulation (GDPR)

- Data relating to any individuals or stakeholders in EU territory is protected during multiple stages including collection, storage, transmission and analysis
- Compliance includes conducting a GDPR assessment, then implementing technical and operational safeguards to protect personal data to satisfy GDPR requirements

### California Consumer Privacy Act (CCPA)

- Provides individuals with the right to know what data is collected and how it is used and shared
- Provisions must be in place to delete information and opt-out of data sharing without discriminating against the individual requesting it

### Virginia Consumer Data Protection Act (VCDPA)

- Outlines responsibilities and privacy protection standards for data collection and management
- Individuals must be provided a way to access, correct, delete, and obtain a copy of their personal data, as well as revoke their consent for data usage

### Americans with Disabilities Act (ADA)

- Data confidentiality requirements apply to information obtained through employment-related inquiries
- Any measures taken to maintain confidentiality must effectively restrict access to the data to only those people with a legal right to view it

### Title VII of the Civil Rights Act of 1964

- The process of collecting data to identify potential future employees brings with it specific nondiscrimination requirements
- It's important to collect, manage, and review data in such a way as to avoid limiting or depriving candidates of employment opportunities or otherwise adversely affecting their application for employment

### Equal Employment Opportunity Commission (EEOC)

- It's essential to stay on the right side of federal oversight to avoid discrimination for things like race, gender, age and disability
- Whether or not you need to adhere to laws the EEOC enforces varies depending on numerous factors including the number of employees and type of discrimination

# CASTLEBRANCH COMPLIES WITH ALL THESE REGULATIONS – AND MORE

**Compliance, consumer notice, and consent** are the cornerstones of how **CastleBranch** handles data, practices that helped us achieve our national accreditation status from the **Professional Background Screening Association** and inform our approach in **CB FutureFocus™**. We do not buy, sell or harvest data. We empower individuals to take control of their own data and share it the way they want to share it with whom they want to share it – in this case, with your hospital where individuals can further their careers.

- We will **not collect** or **share** any individual's information **without express written permission** of the individual.
- We will be **very clear** how the data will be used.
- The data **will NOT** be **used, shared, nor sold** in any other manner.
- We heavily invest in our legal and compliance teams to **stay ahead of the regulatory curve** to **protect** our clients and individual stakeholders.

## DATA PRIVACY IS OUR PRIMARY GOAL

**CB FutureFocus™** protects you from the **risk of exposure** to potentially discriminatory data points and violating data privacy laws. Our **expert compliance and legal team** is constantly **researching, analyzing, and providing up-to-date best practices** relative to the ever-changing regulatory landscape, enabling us to leverage our decades of experience to take on your compliance burden when it comes to **data privacy, data security, and data ownership**. Individuals are empowered to control their data, with mechanisms in place to share that data with you in a manner compliant with all state and federal rules and regulations, worry-free.



**THE RIGHT DATA, THE RIGHT FIT, THE RIGHT PEOPLE.**

Want to use data to find, identify and match the perfect individual with the perfect open position – without all the risk of managing the data yourself?

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