



## Applicant Affirmations

Students

Initials

\_\_\_\_\_ I have read the applicable **Virginia laws** (§ 32.1-162.9:1, § 63.2-1720, § 63.2-1719, § 32.1-126.01) regarding criminal history checks for employment in certain health care facilities, as well as a list of crimes which pose a barrier to such employment (Guidance Document 90-55). This information was provided to me in the form of *Student's Appendix A* of this document.

\_\_\_\_\_ I acknowledge that I have the ability to perform the **essential functions** listed in *Student's Appendix B* without restrictions throughout the duration of the course. If at any time I am not able to perform the essential functions, it is my responsibility to notify the instructor immediately for my safety. I understand that if my safety is ever a concern I may be removed from the course without refund and at the option of TMT placed in a future course. This information was provided to me in the form of *Student's Appendix B* of this document.

\_\_\_\_\_ I understand that I am not being offered or guaranteed **employment**.

\_\_\_\_\_ I understand that the **selection process** is not first-come-first serve but made on a goodness of fit basis based on the quality of the applicant as judged by the totality of the application process (e.g., interview, drug screen, criminal history, resume, work history, etc.).

\_\_\_\_\_ If the **criminal record report** shows convictions that I did not disclose, I acknowledge that I will be denied entry into Tidewater Medical Training or dismissed immediately without refund of monies paid.

\_\_\_\_\_ I acknowledge that I will provide a urine specimen for **drug screening**. I understand that if my urine drug screen is positive for the disqualifying items tested, I will be denied entry into Tidewater Medical Training or dismissed immediately without refund of monies paid.

\_\_\_\_\_ I acknowledge that my tuition is my responsibility and that TMT will hold me personally accountable for my **tuition payment(s)** even if I am using funding from or being sponsored by a third party.

**I fully understand the above affirmations, and I have knowingly and willingly initialed the affirmations above to show my agreement and compliance with those affirmations initialed.**

\_\_\_\_\_  
Students Signature

\_\_\_\_\_  
Date

# PROMISSORY NOTE/INSTALLMENT AGREEMENT

Tidewater Medical Training

2017 Cunningham Drive, Suite 103, Hampton, VA 23666



Student Last Name: \_\_\_\_\_

Student First Name: \_\_\_\_\_

Student ID (SSN): \_\_\_\_\_

Start Date of Class: \_\_\_\_\_

End Date of Class: \_\_\_\_\_

Street Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Weekly installments (\$850.00 - \$150.00 = \$700.00)

**Installment Dates:**

**Deposit** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Amounts:**

**\$150.00** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Attestation:

1. The undersigned agrees to pay Tidewater Medical Training the principal sum of \$850.00;. payment plans are optional. Students paying in full will receive one of the following of their choice: Hartman's "Nursing Assistance Care: The Basics" textbook, blood pressure cuff/stethoscope combo, **or** a 25% discount on the state testing fee (\$25.00 value).
2. Each payment must be paid in full when due. Tidewater Medical Training may consider a missed, late, or partial payment a breach of contract.
3. Any unpaid tuition will remain the liability of the debtor. After reasonable attempts have been made to collect this debt, the debt will be remitted to a collection specialist if not paid in full according to the terms of this agreement. A debt in collections may negatively affect the debtor's credit rating or score and the debtor agrees to bear all collections costs and attorney's fees associated with the collection of this debt.
4. Student dismissal in accordance with the Student Policy Handbook or course withdrawal after the day of orientation constitutes full course attendance; the undersigned will be responsible to pay the full course tuition.
5. Previously paid installments made by the undersigned will not be refunded under any circumstance.
6. The undersigned agrees that in the event of program withdrawal or dismissal whereby a third-party payer has contributed funding, the undersigned will pay the entire tuition, regardless of the timing of course withdrawal or dismissal.
7. In the event of the breach of any portion of this agreement the entire remaining principal sum shall become fully due and payable without notice at the option of the holder of this agreement. Failure to exercise this option shall not constitute a waiver of the right to exercise the same in the event of any subsequent breach.

I hereby acknowledge responsibility for the amount listed above by signing below. The basis for these charges has been fully explained to me and I understand I will be held liable for any debt according to the terms of this agreement. I agree to pay these charges in full by the terms specified in this agreement.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
TMT Approving Signature

## **Student's Appendix A – Students should keep for their records.**

### **Applicable Virginia State Laws**

#### **§ 54.1-3006.2. Nurse aide education program.**

*All approved nurse aide education programs shall provide each student applying to or enrolled in such program with a copy of applicable Virginia law regarding criminal history records checks for employment in certain health care facilities, and a list of crimes which pose a barrier to such employment.*

#### **§ 32.1-162.9:1. Employment for compensation of persons convicted of certain offenses prohibited; criminal records check required; suspension or revocation of license.**

A. A licensed home care organization as defined in § [32.1-162.7](#) or any home care organization exempt from licensure under subdivision 3 a, b, or c of § [32.1-162.8](#) or any licensed hospice as defined in § [32.1-162.1](#) shall not hire for compensated employment, persons who have been convicted of murder or manslaughter as set out in Article 1 (§ [18.2-30](#) et seq.) of Chapter 4 of Title 18.2, malicious wounding by a mob as set out in § [18.2-41](#), abduction as set out in subsection A of § [18.2-47](#), abduction for immoral purposes as set out in § [18.2-48](#), assaults and bodily woundings as set out in Article 4 (§ [18.2-51](#) et seq.) of Chapter 4 of Title 18.2, robbery as set out in § [18.2-58](#), carjacking as set out in § [18.2-58.1](#), threats of death or bodily injury as set out in § [18.2-60](#), felony stalking as set out in § [18.2-60.3](#), sexual assault as set out in Article 7 (§ [18.2-61](#) et seq.) of Chapter 4 of Title 18.2, arson as set out in Article 1 (§ [18.2-77](#) et seq.) of Chapter 5 of Title 18.2, drive by shooting as set out in § [18.2-286.1](#), use of a machine gun in a crime of violence as set out in § [18.2-289](#), aggressive use of a machine gun as set out in § [18.2-290](#), use of a sawed-off shotgun in a crime of violence as set out in subsection A of § [18.2-300](#), pandering as set out in § [18.2-355](#), crimes against nature involving children as set out in § [18.2-361](#), incest as set out in § [18.2-366](#), taking indecent liberties with children as set out in § [18.2-370](#) or § [18.2-370.1](#), abuse and neglect of children as set out in § [18.2-371.1](#), failure to secure medical attention for an injured child as set out in § [18.2-314](#), obscenity offenses as set out in § [18.2-374.1](#), possession of child pornography as set out in § [18.2-374.1:1](#), electronic facilitation of pornography as set out in § [18.2-374.3](#), abuse and neglect of incapacitated adults as set out in § [18.2-369](#), employing or permitting a minor to assist in an act constituting an offense under Article 5 (§ [18.2-372](#) et seq.) of Chapter 8 of Title 18.2 as set out in § [18.2-379](#), delivery of drugs to prisoners as set out in § [18.2-474.1](#), escape from jail as set out in § [18.2-477](#), felonies by prisoners as set out in § [53.1-203](#), or an equivalent offense in another state.

However, a home care organization or hospice may hire an applicant convicted of one misdemeanor specified in this section not involving abuse or neglect or moral turpitude, provided five years have elapsed since the conviction.

Any person desiring to work at a licensed home care organization as defined in § [32.1-162.7](#) or any home care organization exempt from licensure under subdivision 3 a, b, or c of § [32.1-162.8](#) or any licensed hospice as defined in § [32.1-162.1](#) shall provide the hiring facility with a sworn statement or affirmation disclosing any criminal convictions or any pending criminal charges, whether within or without the Commonwealth. Any person making a materially false statement when providing such sworn statement or affirmation regarding any such offense shall be guilty upon conviction of a Class 1 misdemeanor. Further dissemination of the information provided pursuant to this section is prohibited other than to a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination.

Such home care organization or hospice shall, within 30 days of employment, obtain for any compensated employees an original criminal record clearance with respect to convictions for offenses specified in this section or an original criminal history record from the Central Criminal Records Exchange. The provisions of this section shall be enforced by the Commissioner. If an applicant is denied employment because of convictions appearing on his criminal history record, the home care organization or hospice shall provide a copy of the information obtained from the Central Criminal Records Exchange to the applicant.

#### **§ 63.2-1720. Employment for compensation of persons or use of volunteers convicted of certain offenses prohibited; background check required; penalty..**

A. An assisted living facility, adult day care center or child welfare agency licensed or registered in accordance with the provisions of this chapter, or family day homes approved by family day systems, shall not hire for compensated employment persons who have an offense as defined in § [63.2-1719](#). Such employees shall undergo background checks pursuant to subsection C. In the case of child welfare agencies, the provisions of this section shall apply to employees who are involved in the day-to-day operations of such agency or who are alone with, in control of, or supervising one or more children.

B. A licensed assisted living facility or adult day care center may hire an applicant convicted of one misdemeanor barrier crime not involving abuse or neglect or moral turpitude, provided five years have elapsed following the conviction.

C. Background checks pursuant to this section require:

1. A sworn statement or affirmation disclosing whether the person has a criminal conviction or is the subject of any pending criminal charges within or outside the Commonwealth and, in the case of child welfare agencies, whether or not the person has been the subject of a founded complaint of child abuse or neglect within or outside the Commonwealth;
2. A criminal history record check through the Central Criminal Records Exchange pursuant to § [19.2-389](#); and

D. Any person desiring to work as a compensated employee at a licensed assisted living facility, licensed adult day care center, a licensed or registered child welfare agency, or a family day home approved by a family day system shall provide the hiring or approving facility, center or agency with a sworn statement or affirmation pursuant to subdivision C 1. Any person making a materially false statement regarding the sworn statement or affirmation provided pursuant to subdivision C 1 shall be guilty of a Class 1 misdemeanor.

E. A licensed assisted living facility, licensed adult day care center, a licensed or registered child welfare agency, or a family day home approved by a family day system shall obtain for any compensated employees within thirty days of employment (i) an original criminal record clearance with respect to convictions for offenses specified in § [63.2-1719](#) or an original criminal history record from the Central Criminal Records Exchange and

(ii) in the case of licensed or registered child welfare agencies or family day homes approved by family day systems, a copy of the information from the central registry. If an applicant is denied employment because of information from the central registry or convictions appearing on his criminal history record, the assisted living facility, adult day care center or child welfare agency shall provide a copy of the information obtained from the central registry or the Central Criminal Records Exchange or both to the applicant.

#### **§ 63.2-1719. Definitions.**

As used in this subtitle:

"Barrier crime" means a conviction of murder or manslaughter as set out in Article 1 (§ [18.2-30](#) et seq.) of Chapter 4 of Title 18.2, malicious wounding by mob as set out in § [18.2-41](#), abduction as set out in subsection A of § [18.2-47](#), abduction for immoral purposes as set out in § [18.2-48](#), assaults and bodily wounding as set out in Article 4 (§ [18.2-51](#) et seq.) of Chapter 4 of Title 18.2, robbery as set out in § [18.2-58](#), carjacking as set out in § [18.2-58.1](#), threats of death or bodily injury as set out in § [18.2-60](#), felony stalking as set out in § [18.2-60.3](#), sexual assault as set out in Article 7 (§ [18.2-61](#) et seq.) of Chapter 4 of Title 18.2, arson as set out in Article 1 (§ [18.2-77](#) et seq.) of Chapter 5 of Title 18.2, drive by shooting as set out in § [18.2-286.1](#), use of a machine gun in a crime of violence as set out in § [18.2-289](#), aggressive use of a machine gun as set out in § [18.2-290](#), use of a sawed-off shotgun in a crime of violence as set out in subsection A of § [18.2-300](#), pandering as set out in § [18.2-355](#), crimes against nature involving children as set out in § [18.2-361](#), incest as set out in § [18.2-366](#), taking indecent liberties with children as set out in § [18.2-370](#) or § [18.2-370.1](#), abuse and neglect of children as set out in § 18.2-371.1, failure to secure medical attention for an injured child as set out in § [18.2-314](#), obscenity offenses as set out in § [18.2-374.1](#), possession of child pornography as set out in § [18.2-374.1:1](#), electronic facilitation of pornography as set out in § [18.2-374.3](#), abuse and neglect of incapacitated adults as set out in § [18.2-369](#), employing or permitting a minor to assist in an act constituting an offense under Article 5 (§ [18.2-372](#) et seq.) of Chapter 8 of Title 18.2 as set out in § [18.2-379](#), delivery of drugs to prisoners as set out in § [18.2-474.1](#), escape from jail as set out in § [18.2-477](#), felonies by prisoners as set out in § [53.1-203](#); or an equivalent offense in another state. In the case of child welfare agencies and foster and adoptive homes approved by child-placing agencies, "barrier crime" shall also include convictions of burglary as set out in Article 2 (§ [18.2-89](#) et seq.) of Chapter 5 of Title 18.2 and any felony violation relating to possession or distribution of drugs as set out in Article 1 (§ [18.2-247](#) et seq.) of Chapter 7 of Title 18.2, or an equivalent offense in another state.

#### **§ 32.1-126.01. Employment for compensation of persons convicted of certain offenses prohibited; criminal records check required; suspension or revocation of license.**

A. A licensed nursing home shall not hire for compensated employment, persons who have been convicted of murder or manslaughter as set out in Article 1 (§ [18.2-30](#) et seq.) of Chapter 4 of Title 18.2, malicious wounding by mob as set out in § [18.2-41](#), abduction as set out in subsection A of § [18.2-47](#), abduction for immoral purposes as set out in § [18.2-48](#), assaults and bodily wounding as set out in Article 4 (§ [18.2-51](#) et seq.) of Chapter 4 of Title 18.2, robbery as set out in § [18.2-58](#), carjacking as set out in § [18.2-58.1](#), threats of death or bodily injury as set out in § [18.2-60](#), felony stalking as set out in § [18.2-60.3](#), sexual assault as set out in Article 7 (§ [18.2-61](#) et seq.) of Chapter 4 of Title 18.2, arson as set out in Article 1 (§ [18.2-77](#) et seq.) of Chapter 5 of Title 18.2, drive by shooting as set out in § [18.2-286.1](#), use of a machine gun in a crime of violence as set out in § [18.2-289](#), aggressive use of a machine gun as set out in § [18.2-290](#), use of a sawed-off shotgun in a crime of violence as set out in subsection A of § [18.2-300](#), pandering as set out in § [18.2-355](#), crimes against nature involving children as set out in § [18.2-361](#), incest as set out in § 18.2-366, taking indecent liberties with children as set out in § [18.2-370](#) or § [18.2-370.1](#), abuse and neglect of children as set out in § [18.2-371.1](#), failure to secure medical attention for an injured child as set out in § [18.2-314](#), obscenity offenses as set out in § [18.2-374.1](#), possession of child pornography as set out in § [18.2-374.1:1](#), electronic facilitation of pornography as set out in § [18.2-374.3](#), abuse and neglect of incapacitated adults as set out in § [18.2-369](#), employing or permitting a minor to assist in an act constituting an offense under Article 5 (§ [18.2-372](#) et seq.) of Chapter 8 of Title 18.2 as set out in § [18.2-379](#), delivery of drugs to prisoners as set out in § [18.2-474.1](#), escape from jail as set out in § [18.2-477](#), felonies by prisoners as set out in § [53.1-203](#), or an equivalent offense in another state. However, a licensed nursing home may hire an applicant who has been convicted of one misdemeanor specified in this section not involving abuse or neglect or moral turpitude, provided five years have elapsed following the conviction. Any person desiring to work at a licensed nursing home shall provide the hiring facility with a sworn statement or affirmation disclosing any criminal convictions or any pending criminal charges, whether within or without the Commonwealth. Any person making a materially false statement when providing such sworn statement or affirmation regarding any such offense shall be guilty upon conviction of a Class 1 misdemeanor. Further dissemination of the information provided pursuant to this section is prohibited other than to a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination.

A nursing home shall, within 30 days of employment, obtain for any compensated employees an original criminal record clearance with respect to convictions for offenses specified in this section or an original criminal history record from the Central Criminal Records Exchange. The provisions of this section shall be enforced by the Commissioner. If an applicant is denied employment because of convictions appearing on his criminal history record, the nursing home shall provide a copy of the information obtained from the Central Criminal Records Exchange to the applicant.

**Student's Appendix B – Students should keep for their records.**

**Student Essential Functions**

Students accepted into the Tidewater Medical Training Nurse Aide Training Program will possess the cognitive ability, emotional stability, and physical endurance to complete the program.

A. The student agrees that he/she has the ability to:

1. Exercise safe judgment
2. Remain visibly calm in emergency situations
3. Interact in a caring manner with others, including fellow students
4. Follow directions
5. Be flexible
6. Demonstrate honesty and integrity
7. Effectively respond to the assessment/evaluation process

B. The student must not pose a significant risk or direct threat to the health or safety of themselves or others.

C. The following are essential functions, abilities and physical requirements for the student. The student must be able to:

1. Deliver basic nursing care, which may involve standing, sitting, kneeling, bending, pushing, pulling, carrying, lifting, walking, reaching, and twisting. The ability to lift is essential to assist patients with ambulation, transfers, position changes, and to transport patients within the health care setting. Manual dexterity is essential in the performance of many nursing tasks.
2. Demonstrate visual acuity essential to read and follow directions.
3. Communicate knowledge both verbally and in writing. This includes the ability to read, write, and see.
4. Observe and interpret patient data and incorporate that data into the plan of care. The ability to see, hear feel and smell is essential to the collection of data.
5. Implement and evaluate nursing care based on the plan of care for a group of patients. This includes the ability to utilize standard nursing equipment.
6. The ability to verbally communicate effectively with patients, instructors, and fellow students.
7. Complete assignments and examinations within specified time limitations.

This description of the essential abilities of the Tidewater Medical Training student is meant to include the major area of responsibility and is not intended to be limited to the above information.