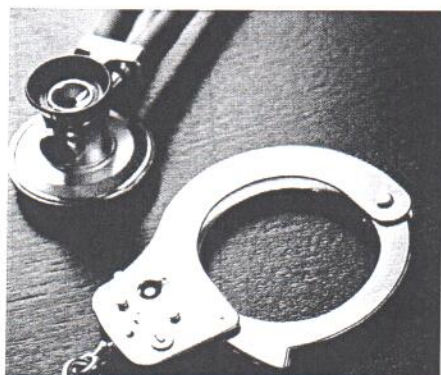


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FREQUENTLY ASKED QUESTIONS:

How a Criminal History Can Affect the Licensure Process

Out of the many steps to bring a license application from submission by an applicant to issuance of a license number, the one that most frequently prolongs the process is the criminal background check (CBC). To promote public safety, the Oregon State Board of Nursing runs all license applications, including renewal applications, through a CBC. All 'positive hits' are sent to the Investigations department for further review.



The OSBN strongly encourages all individuals with an arrest, conviction, or discipline history to be fully prepared with information regarding their background prior to making application to the Board.

Although there are several crimes for which the Board will issue a Notice to Deny Licensure, all other issues are handled on a case-by-case basis. In addition to ensuring they have thoroughly read the mandatory disclosure questions prior to answering, there are a few things applicants should know that can help expedite the process.

1. What arrests, convictions, or license discipline must be reported on the license application?

All arrests and convictions (misdemeanors and felonies) must be reported, except for minor traffic violations. "Driving Under the Influence" must be reported. All prior or current disciplinary action against a healthcare-related license must be reported, whether it occurred in Oregon or in another state or territory.

2. Is there any specific conviction that will automatically disqualify an applicant from receiving a license?

According to Oregon Administrative Rule 851-045-0080, the Board will issue a Notice to Deny Licensure to an applicant for initial licensure or re-licensure to persons who have been convicted as an adult, or found responsible for except for mental illness, or adjudicated as a juvenile for the following crimes as set forth in Oregon law or comparable law in other jurisdictions:

- a. Aggravated Murder, as in ORS 163.095 and 115;
- b. First Degree Manslaughter, as in ORS 163.118;
- c. Second Degree Manslaughter, as in ORS 163.125;
- d. First Degree Assault, as in ORS 163.185;

- e. Second Degree Assault, as in ORS 163.175;
- f. First Degree Criminal Mistreatment, as in ORS 163.205;
- g. Second Degree Criminal Mistreatment, as in ORS 163.200;
- h. First Degree Kidnapping, as in ORS 163.235;
- i. First Degree Rape, as in ORS 163.375;
- j. Second Degree Rape, as in ORS 163.365;
- k. Third Degree Rape, as in ORS 163.355;
- l. First Degree Sodomy, as in ORS 163.405;
- m. Second Degree Sodomy, as in ORS 163.395;
- n. Third Degree Sodomy, as in ORS 163.385;
- o. First Degree Unlawful Sexual Penetration, as in ORS 163.411;
- p. Second Degree Unlawful Sexual Penetration, as in ORS 163.408;
- q. First Degree Sexual Abuse, as in ORS 163.427;
- r. Second Degree Sexual Abuse, as in ORS 163.425;
- s. Contributing to the Sexual Delinquency of a Minor, as in ORS 163.435;
- t. Sexual Misconduct, as in ORS 163.445;
- u. Child Abandonment, as in ORS 165.535;

The Board reviews all other criminal histories on a case-by-case basis to determine if an application will be approved or denied.

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