

3. Can a person obtain a license or certificate if they have a misdemeanor or felony conviction on their record?

Each application is reviewed on its own merit. The OSBN reviews all prior arrests and convictions that may be related substantially to the qualifications, functions, or duties of a nurse or nursing assistant. The OSBN considers the nature, severity, and timing of the offenses, as well as rehabilitation and other factors. The Board cannot make a determination for approval or denial of licensure without evaluating the entire application and supporting documentation.

4. Do I have to report charges if I completed a court diversion program and charges were dismissed?

Yes. Offenses must be reported to the Board even if a court diversion program has been completed, and even if charges were dismissed.

5. What type of documentation do I need to submit in support of my application if I have a prior conviction or license discipline?

In addition to the documents required for licensure, the OSBN will require:

- Official court documents and arrest reports relative to your convictions, showing the dates and circumstances surrounding your arrest/convictions, sections of the law violated, and disposition of the case.
- Copies of documents relative to any disciplinary action taken against any license as an RN or any health-care related license or certificate, if applicable.
- A detailed description of the circumstances surrounding your convictions or disciplinary actions, and a thorough description of the rehabilitative changes in your life-

style since the time of your convictions or disciplinary action that would enable you to avoid future occurrences. It would be helpful to include factors in your life which you feel may have contributed to your convictions or disciplinary action, what you have learned about yourself since that time, and the changes you have made that support your rehabilitation.

- The burden of proof lies with the applicant to demonstrate evidence of rehabilitation. Examples of rehabilitation evidence include, but are not limited to:
 - If applicable to your convictions or license disciplines, documented evidence of professional treatment and counseling you may have completed. Please provide discharge summary and most current chemical dependency and/or mental health evaluation, if available.
 - Letters of reference on official letterhead from employers, nursing instructors, health professionals, professional counselors, parole or probation officers, or other individuals in positions of authority who are knowledgeable about your rehabilitation efforts.
 - Proof of community service work, schooling, and/or self-improvement efforts.
 - Court-issued certificate of rehabilitation, dismissal or evidence of expungement, proof of compliance with criminal probation or parole, and orders of the court.

6. Can a person obtain a license or certificate if they have been previously accused of abuse or neglect?

As stated previously, each application is reviewed on its own merit. If

you have been investigated for either professional or personal allegations of abuse or neglect, a closure letter from the law enforcement or social service agency that conducted the investigation will expedite the review of your application. You should also submit a detailed letter explaining, by your own account, the circumstances surrounding the events.

7. How long will it take to review the information that I submit with my application?

The normal processing time is unpredictable, since there are various factors that affect the time necessary to conduct an appropriate investigation.

8. How can I help facilitate how quickly my prior conviction or license discipline is reviewed?

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. Otherwise, your request for a license will experience a delay. Enclosing all of your supporting documentation will also assist in expediting the process and review.

9. How do I appeal the denial of my application for licensure?

You have the right to appeal the license denial, and to have an administrative hearing, under the provisions of Oregon administrative laws. You must submit the appeal in writing to the Board office within 60 days from the service of the notice of denial. If you do not submit an appeal in writing to the Board, you will automatically waive your right to a hearing, and your application will be deemed denied.