



Criminal History and Prior Disciplinary Action

Frequently Asked Questions and Answers

Questions	Answers
What type of criminal history should be reported on the application?	All arrests and convictions should be reported. This includes cases which were ultimately dismissed. It includes cases which were resolved by a guilty plea, nolo contendere plea, a trial, or by some type of deferred prosecution. Felonies <u>and</u> misdemeanors should be reported. Minor traffic violations do not need to be reported. DUI is <u>not</u> a minor traffic violation.
Can a person obtain a license as a nurse with a misdemeanor or felony conviction?	Each applicant is evaluated on a case by case basis. The Board of Nursing considers the nature, severity, and date of the offense, as well as rehabilitative efforts and other factors. The Board cannot make a determination for approval or denial of licensure until the entire application and supporting documentation is received and reviewed.
Do I have to report criminal charges if I completed a period of probation and the charges were dismissed or the case was closed?	Yes. Offenses must be reported to the Board even if you received a suspended imposition of sentence and the record is now considered closed. The arrest is still on your record and must be reported.
How can I help facilitate a speedy review of my application?	The Board of Nursing strongly encourages all individuals with a criminal or disciplinary history to be fully prepared with information regarding their background and to start the application process as soon as you can.
What must be reported concerning discipline by another state Board of Nursing?	All prior or current disciplinary action against another professional license must be reported, whether it occurred in Alabama or in another state or territory. If RN to LPN where there was discipline by this Board against the LPN license, this should also be reported.
Will it help to call and check on the status of my application?	It may take additional time to process an application containing a "yes" answer. You will be notified if further information is required. Please do <u>not</u> call Board of Nursing office as such only serves to delay the process.
Can I obtain a temporary permit if I have a "yes" answer to a regulatory question on the	If your application can be cleared without discipline, you will be issued a temporary permit, if otherwise eligible. If your application cannot be cleared without discipline, you will not be issued a temporary permit. Your case will be presented to the Board and, if your application is approved, you will be made eligible to sit for the exam.

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<p>application?</p> <p>What type of documentation do I need to submit in support of my application if I have a prior criminal record or license discipline?</p>	<p>You should submit:</p> <ul style="list-style-type: none"> ○ Certified official court document(s) relative to your criminal record, showing the date(s) and circumstance(s) surrounding your arrest(s)/conviction(s), sections of the law violated, and disposition of the case. This would normally consist of the charging document (Complaint or Indictment), and the Case Action Summary or other documents showing the final disposition of your case. If placed on probation, you should also include the Order of Probation and official documentation of completion of the probationary period. The court clerk must certify these court documents. ○ Certified copy of the documents relative to any disciplinary action taken against any license by another state board of nursing. The documents must come from the agency that took the disciplinary action and must be certified by that agency. If previously disciplined by the Alabama Board of Nursing, you should state the action taken against you. ○ A detailed description of the circumstances surrounding your criminal record or disciplinary action and a thorough description of the rehabilitative changes in your lifestyle since the time of the offense or disciplinary action which would enable you to avoid future occurrences. It would be helpful to include factors in your lifestyle which you feel may have contributed to your crime or disciplinary action, what you have learned about yourself since that time, and the changes you have made that support your rehabilitation. <p>Note: The burden of proof lies with the applicant to demonstrate evidence of rehabilitation.</p> <p>Examples of rehabilitation evidence include, but are not limited to:</p> <ul style="list-style-type: none"> ○ If applicable to your crime or discipline, documented evidence of professional treatment and counseling you may have completed. Please provide admission and discharge summaries if treatment received. ○ Letters of reference, on official letterhead, from: employers, nursing program administrators, nursing instructors, health professionals, professional counselors, support group sponsors, parole or probation officers, or other individuals in positions of authority who are knowledgeable about your rehabilitation efforts.

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	<ul style="list-style-type: none"><li data-bbox="693 235 1648 267">○ Proof of community work, education, and/or self-improvement efforts. <p data-bbox="546 300 1879 373">Court-issued certificate of rehabilitation or evidence of expungement, proof of compliance with criminal probation or parole, and orders of the court.</p>