



Idaho Board of Nursing

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FREQUENTLY ASKED QUESTIONS: LICENSURE

WILL PAST CRIMINAL CONVICTION(S) AFFECT MY ABILITY TO BECOME LICENSED/CERTIFIED?

The following information is provided to assist persons who may be contemplating a future career as a nurse or medication assistant. A conclusive determination regarding licensure/certification will not be provided until such time as a completed application has been received and evaluated.

The Idaho Board of Nursing is granted statutory authority to establish standards, criteria, conditions and requirements and to determine eligibility for nurse licensure and medication assistant certification. Consistent with this authority, in protecting the public interest the Board may deny a licensure or certification application when the applicant's criminal history warrants such action.

Criminal history is evaluated on a case-by-case basis with consideration given to the type and context of the crime(s) and the applicant's demonstrated behavior following the commission of the crime(s). Among other relevant factors, the Board considers the following items in reviewing the criminal history of applicants for licensure/certification:

- The applicant's honesty in disclosing criminal history on an application for licensure/certification
- Type and severity of the crime(s) committed
- Time elapsed since the crime(s) or conviction of the crime(s)
- Time elapsed since completion of terms of sentence or other court-ordered sanctions
- Whether the applicant is subject to continued court oversight (e.g. probation, parole, or incarceration)
- Demonstrated remorse on the part of the applicant for commission of the crime(s)
- Relationship of the crime(s) to practice or to the behaviors expected of a health care provider

Unlike some state boards of nursing, the Idaho Board has not identified 'absolute bars' to licensure or certification. However, evidence of any significant threat to the health or safety of the public will likely result in Board denial of an application. Such evidence may include, but is not limited to:

- ❖ Multiple or repeat criminal violations or patterns of similar/related offenses
- ❖ Criminal mistreatment of children or vulnerable adults
- ❖ Murder, felonious assault, kidnapping, rape or other crimes of violence against persons
- ❖ Demonstrated lack of rehabilitation or rehabilitation potential

Applicants for nurse licensure or MA-C certification should be aware that federal laws barring individuals convicted of certain offenses from employment in the healthcare field, especially in institutions that receive public monies (e.g. Medicaid or Medicare), may preclude employment as a nurse or MA-C even if a license/certificate is issued.

Further questions may be directed to the Board of Nursing at (208) 334-3110 ext. 2476 or sandra.evans@ibn.idaho.gov.