



Ohio Administrative Code Rule 4731-4-02 Criminal records checks.

Effective: September 30, 2019

(A) An applicant for an initial license or certificate to practice or for a restored license or certificate to practice pursuant to Chapter 4730., 4731., 4759., 4760, 4761., 4762., 4774., or 4778. of the Revised Code, shall submit fingerprints, required forms, and required fees to BCI for completion of BCI and FBI criminal records checks.

(1) An applicant who is present in Ohio shall use the services of an entity that has been designated by the Ohio attorney general to participate in the "National WebCheck" program (available at <http://www.ohioattorneygeneral.gov/>) and pay any processing fee charged by the entity, with the "State Medical Board of Ohio" designated to receive the results:

(2) An applicant who resides in a state or jurisdiction other than Ohio shall either appear in Ohio in order to comply with the requirements of paragraph (A)(1) of this rule or request that the board provide the forms required to complete the criminal records checks.

Upon receipt of the forms, the applicant shall have his or her fingerprints processed and pay any applicable processing fees.

(B) The board shall maintain the criminal records check reports in a manner that ensures the confidentiality of the results, prevents disclosure pursuant to a public records request, and complies with applicable state and federal requirements.

(C) The board shall not accept the results of a criminal records check submitted by an entity other than BCI.

(D) In reviewing the results of criminal records checks to determine whether the applicant should be granted an initial or restored certificate to practice, the board may consider all of the following:

(1) The nature and seriousness of the crime;



- (2) The extent of the applicant's past criminal activity;
- (3) The age of the applicant when the crime was committed;
- (4) The amount of time that has elapsed since the applicant's last criminal activity;
- (5) The conduct and work activity of the applicant before and after the criminal activity;
- (6) Whether the applicant has completed the terms of any probation or deferred adjudication;
- (7) Evidence of the applicant's rehabilitation;
- (8) Whether the applicant fully disclosed the arrest or conviction to the board; and
- (9) Any other factors the board considers relevant.