

February 21, 2001

S 195. CRIMINAL RECORD CHECKS FOR NURSES. *TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS FROM STATE AND NATIONAL REPOSITORIES OF CRIMINAL HISTORY OF APPLICANTS FOR LICENSURE AS REGISTERED NURSES OR LICENSED PRACTICAL NURSES UPON THE REQUEST OF THE NORTH CAROLINA BOARD OF NURSING, TO AUTHORIZE THE BOARD OF NURSING TO REQUIRE CRIMINAL HISTORY RECORD CHECKS OF PERSONS APPLYING TO PRACTICE NURSING IN THE STATE OF NORTH CAROLINA, AND TO AMEND THE POWERS OF THE BOARD OF NURSING TO ALLOW THE DEPARTMENT OF JUSTICE TO CONDUCT CRIMINAL HISTORY RECORD CHECKS UPON THE BOARD'S REQUEST.* Adds new GS 114-19.11, which authorizes the Dep't of Justice to do criminal history record checks as indicated in title; requires that a request from the NC Board of Nursing include the subject's fingerprints and written consent; requires the Board to keep all information obtained under the section confidential; and authorizes the Dep't of Justice to charge a fee to offset the cost of the record checks. Adds new GS 90-171.48, which defines "criminal history" for purposes of records checks; makes an applicant's refusal to consent to a criminal history record check grounds for denial of licensure; specifies types of convictions that may be the basis of the Board's denial of licensure, but only after considering specified factors that include seriousness of the crime, date of crime, person's age at time of conviction, circumstances of the crime if known, nexus between the crime and job duties, the person's employment and other records since the date of the crime, and the person's commission of any subsequent crimes. Allows applicant who is denied licensure on the basis of criminal history to appear before the Board to appeal the decision, and provides that the appearance constitutes an exhaustion of administrative remedies. Makes conforming amendment to GS 90-171.23(b). Effective Jan. 1, 2002.

Intro. by Rand.

Ref. to Health Care	GS 90, 114
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March 14, 2001

S 195. CRIMINAL RECORD CHECKS FOR NURSES. Intro. 2/21/01. Senate committee substitute makes the following changes to 1st edition. Provides that both state and national criminal history shall be checked in all cases (was, national history check required only for applicant who has not resided in NC during past five years).

August 1, 2001

S 195. CRIMINAL RECORD CHECKS FOR NURSES. Intro. 2/21/01. House amendment makes the following changes to 2nd edition. Amends proposed GS 90-171.48(c) to provide that Nursing Board, if applicant has a conviction that is revealed by record check, must determine if the applicant's conviction constitutes grounds to deny licensure under GS 90-171.37.