

LIST OF POTENTIALLY DISQUALIFYING OFFENSES

Applicants for a license or certificate that have pled guilty to, been convicted of, or been found judicially guilty of any the following crimes **may be disqualified** from being licensed as a registered nurse, licensed practical nurse, advanced practice registered nurse, dialysis technician intern, dialysis technician, certified community health worker, or medication aide. The following crimes are considered by the Board of Nursing (Board) to be directly related to the duties/responsibilities of the licensed occupations:

1. **Any Offense of Violence as defined in 2901.01(A)(9), ORC.** A list of the crimes currently included in this definition follows. Please review this definition as the Ohio General Assembly may change it from time to time:
 - (a) 2903.01 Aggravated Murder, 2903.02 Murder, 2903.03 Voluntary Manslaughter, 2903.04 Involuntary Manslaughter, 2903.11 Felonious Assault, 2903.12 Aggravated Assault, 2903.13

oriented matter involving a minor or impaired person, or 2907.323, Illegal use of minor or impaired person in nudity-oriented material or performance of the Revised Code.

- (b) A violation of section 2907.04, Unlawful sexual conduct with minor, of the Revised Code when the offender is less than four years older than the other person with whom the offender engaged in sexual conduct, the other person did not consent to the sexual conduct, and the offender previously has not been convicted of or pleaded guilty to a violation of section 2907.02, 2907.03, or 2907.04, Unlawful Conduct with minor, or a violation of former Section 2907.12 of the Revised Code.
- (c) A violation of section 2907.04, Unlawful Conduct with minor, of the Revised Code when the offender is at least four years older than the other person with whom the offender engaged in sexual conduct or when the offender is less than four years older than the other person with whom the offender engaged in sexual conduct and the offender previously has been convicted of or pleaded guilty to a violation of section 2907.02, 2907.03, or 2907.04, or a violation of former Section 2907.12 of the Revised Code.
- (d) A violation of section 2903.01, Aggravated murder, 2903.02, Murder, 2903.11, Felonious assault, of the Revised Code when the violation was committed with a sexual motivation.
- (e) A violation of division (A) of section 2903.04, Involuntary manslaughter, of the Revised Code when the offender committed or attempted to commit the felony that is the basis of the violation with a sexual motivation.
- (f) A violation of division (A)(3) of section 2903.211, Menacing by stalking, of the Revised Code.
- (g) A violation of division (A)(1), (2), (3), or (5) of section 2905.01, Kidnapping, of the Revised Code when the offense is committed with a sexual motivation.
- (h) A violation of division (A)(4) of section of section 2905.01, Kidnapping, of the Revised Code.
- (i) A violation of division (B) of section 2905.01, Kidnapping, of the Revised Code when the victim of the offense is under eighteen years of age and the offender is not a parent of the victim of the offense.
- (j) A violation of division (B) of section 2903.03, Voluntary manslaughter, of division (B) of section 2905.02, Abduction, of division (B) of section 2905.03, Unlawful restraint, of division (B) of section 2905.05, Criminal child enticement, or of division (B)(5) of section 2919.22, Endangering children, of the Revised Code.
- (k) A violation of section 2905.32, Trafficking in persons, of the Revised Code when either of the following applies: (a) The violation is a violation of division (A)(1) of that section and the offender knowingly recruited, lured, enticed, isolated, harbored, transported, provided, obtained, or maintained, or knowingly attempted to recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain, another person knowing that the person

- (m) A violation of any former law of this state, any existing or former municipal ordinance or law of another state or the United States, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any offense listed in above in 2. (a) – (l).
- (n) Any attempt to commit, conspiracy to commit, or complicity in committing any offense listed above in 2. (a) – (m).

3. Registered Sex Offender Status

An applicant who is required to register as a sex offender as defined in Section 2950.01, ORC, under the law of Ohio, or under the substantially equivalent law of another jurisdiction or the federal government, may be denied a license.

4. Any Drug Abuse Offense as defined in Section 2925.01(G), ORC. A list of the crimes currently included in this definition follows. Please review this definition as the Ohio General Assembly may change it from time to time:

- (a) 2913.02(A) Theft of Drugs, 2925.02 Corrupting Another with Drugs, 2925.03 Tra

Distributing Forged Identification Cards, 2913.32 Criminal Simulation, 2913.33 Making or Using Slugs – misdemeanor only, 2913.34 Trademark Counterfeiting, 2913.40 Medicaid Fraud, 2913.42 Tampering with Records, 2913.43 Securing Writings by Deception, 2913.44 Personating an Officer, 2913.45 Defrauding Creditors, 2913.47 Insurance Fraud, former Section 2913.47, 2913.48 Workers' Compensation Fraud, former Section 2913.48, 2913.51 Receiving Stolen Property, 2915.05 Cheating- Corrupting Sports, 2921.41 Theft in Office.

(b) A violation of an existing or former municipal ordinance or law of this or any other state, or of the United States, substantially equivalent to any offense listed above in 5. (a).

(c) An offense under an existing or former municipal ordinance or law of this or any other state, or of the United States, involving robbery, burglary, breaking and entering, theft, embezzlement, wrongful conversion, forgery, counterfeiting, deceit, or fraud.

(d) A conspiracy or attempt to commit, or complicity in committing, any offense listed above in 5. (a) through (c).

(e) Section 2913.30, ORC, Counterfeiting.

(f) Section 2913.49, ORC, Identity Fraud.

(g) Section 2923.32, ORC, Engaging in Corrupt Activity.

(h) A violation of an existing or former municipal ordinance or law of this or any other state, or of the United States, substantially equivalent to the crimes, and/or a

Relationship of the crime to the ability, capacity, and fitness required to perform the duties and responsibilities of the occupation;

Any evidence of mitigating rehabilitation or treatment successfully completed, including whether a certificate of qualification for employment under Section 2953.25, ORC, or of achievement or employability under Section 2961.22, ORC, has been obtained;

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Whether denial of the license is reasonably necessary to ensure public safety.

The Board does not have the authority to conduct an investigation of an individual who has not applied for a license or certificate.aF8.352 5y Tc 0 Tw [F8.352 5y Tc 0 Tw Tw 1 0 eu914 582.34 Tm[li)-2.3395