

Additional Information Regarding Eligibility Screening Question #2

Important

- Even if you have been told a conviction has been expunged, sealed, dismissed, dropped, etc., it may still show up on your fingerprint report. **In such situations where you were NOT convicted, you may answer no to the question, and include a letter of explanation and court document indicating the outcome of the case with your application. This will prevent staff from asking about it upon receipt of your fingerprint results.**
- A Criminal Conviction is defined as being found guilty of a criminal offense in a court of law.
- You could have been convicted even if you didn't spend any time in jail.
- Criminal convictions include misdemeanors and felonies.
- If you answered "NO" to Question #2 and the Board finds you have a conviction, your application will be denied as a fraudulent application.
- If you answered "YES" to Question #2 and do not attach the required documents, your application will not be considered by the Board until you provide the documents.

The Nevada State Board of Nursing requires all applicants for nursing licenses and nursing assistant certificates to answer six screening questions. These questions address discipline in another state, criminal convictions, chemical dependency, medical and mental health conditions, and malpractice cases. In addition, all applicants must submit their fingerprints for an FBI and State of Nevada criminal background check.

Question #2 reads: **Have you ever had a criminal conviction, including a misdemeanor or felony, or had a civil judgment rendered against you? If the answer is YES, you must attach to this application the following:**

a. A letter of explanation including the circumstances leading to the conviction, date of offense, actual conviction (i.e. DUI, theft, etc.), sentencing requirements, and current status of sentence;

b. Copies of court documents identifying actual conviction and sentence and current status of sentence (i.e. all fines paid in full, etc). If no documents are available, a letter from the court stating such;

If you answered "YES" to Question #2 and attach the required documents, the Board may accept or deny your application. The Board considers each application individually, using the guidelines below.

Board staff will evaluate each applicant for licensure/certification on the basis of evidence of rehabilitation and the potential/actual risk to the public. Board staff has the discretion to clear the following when all legal requirements have been met:

1. A singular felony conviction occurring more than ten (10) years ago;
2. The conviction(s) do not involve an offense involving moral turpitude, or related to the qualifications, functions or duties of a licensee or holder of a certificate.

All applications will be presented to the Board for acceptance, denial, or other action upon determining that the applicant is guilty of a felony within the previous ten years, or any offense involving moral turpitude or related to the qualifications, functions or duties of a licensee or holder of a certificate.

If your application is presented to the Board for consideration, you will receive written notice regarding the date, time and location of the Board meeting. You may appear before the Board to present information on your rehabilitation and reasons you believe the Board should accept your application. At that time, the Board may deny your application, which is reported as a disciplinary action, or the Board may accept your application, granting you a license or certificate, possibly with restrictions.

If you have one of the criminal convictions listed below (1-15) and the Nevada State Board of Nursing grants you a license or certificate, the Nevada State Health Division will *not* allow you to work in any capacity in a facility for intermediate care, facility for skilled nursing, home health care, or a residential facility for groups.

1. Murder, voluntary manslaughter or mayhem;
2. Assault with intent to kill or to commit sexual assault or mayhem;
3. Sexual assault, statutory sexual seduction, incest, lewdness or indecent exposure, or any other sexually related crime that is punished as a felony;
4. Prostitution, solicitation, lewdness or indecent exposure, or any other sexually related crime that is punished as a misdemeanor, within the immediately preceding 7 years;
5. A crime involving domestic violence that is punished as a felony;
6. A crime involving domestic violence that is punished as a misdemeanor, within the immediately preceding 7 years;
7. Abuse or neglect of a child or contributory delinquency;
8. A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in [chapter 454](#) of NRS, within the immediately preceding 7 years;
9. Abuse, neglect, exploitation or isolation of older persons or vulnerable persons, including, without limitation, a violation of any provision of [NRS 200.5091](#) to [200.50995](#), inclusive, or a law of any other jurisdiction that prohibits the same or similar conduct;
10. A violation of any provision of law relating to the State Plan for Medicaid or a law of any other jurisdiction that prohibits the same or similar conduct, within the immediately preceding 7 years;
11. A violation of any provision of [NRS 422.450](#) to [422.590](#), inclusive;
12. A criminal offense under the laws governing Medicaid or Medicare, within the immediately preceding 7 years;
13. Any offense involving fraud, theft, embezzlement, burglary, robbery, fraudulent conversion or misappropriation of property, within the immediately preceding 7 years;
14. Any other felony involving the use or threatened use of force or violence against the victim or the use of a firearm or other deadly weapon; or
15. An attempt or conspiracy to commit any of the offenses listed in this paragraph, within the immediately preceding 7 years;

For questions on the Nevada State Board of Nursing's laws, regulations and policies regarding applicants with criminal convictions, please call toll free 1-888-590-6726.

For questions about the type of health care facilities in which you may work, please call the Nevada State Division of Health, Bureau of Health Care Quality and Compliance, in Carson City at 775-687-4475 and in Las Vegas at 702-486-6515.