

Frequently Asked Questions and Answers Regarding Prior Criminal History and Disciplinary Actions

The Missouri State Board of Nursing receives numerous questions from applicants regarding prior criminal offenses. Following are the most frequently asked questions to assist applicants.

Question: What crimes or license discipline must be reported on the application?

Answer: All convictions, guilty pleas and nolo contendere pleas must be reported, except for minor traffic violations not related to the use of drugs or alcohol. This includes misdemeanors, felonies, “driving while intoxicated (DWI)” and “driving under the influence (DUI).” Crimes must be reported even if they are a suspended imposition of sentence. All prior or current disciplinary action against another professional license must be reported, whether it occurred in Missouri or in another state or territory.

Question: Can a person obtain a license as a nurse if they have a misdemeanor or felony crime on their record?

Answer: Each application is evaluated on a case by case basis. The Board of Nursing considers the nature, severity, and recency of offenses, as well as rehabilitation and other factors. The Board cannot make a determination for approval or denial of licensure without evaluating the entire application and supporting documentation.

Question: Is there any specific crime that will automatically disqualify an applicant from receiving a license?

Answer: No. There is not any one specific type of crime that will disqualify an applicant. Again, the Board must review, on a case by case basis, all criminal records and supporting documentation to determine if an application will be approved or denied. Section 335.066, RSMo, of the Nursing Practice Act can be viewed at [Missouri Revisor of Statutes - Revised Statutes of Missouri, RSMo Section 335.066](#) and lists the reasons for which a person may be denied a license. Section 192.2495, RSMo, can be viewed at [Missouri Revisor of Statutes - Revised Statutes of Missouri, RSMo Section 192.2495](#) and addresses background checks for healthcare employees. This statute is under the Department of Social Services. Inquires about this statute should be addressed to the Department of Social Services, PO Box 1527, Jefferson City, Missouri 65102-1257.

Question: Do I have to report charges if I completed a period of probation and the charges were dismissed or closed?

Answer: Yes. Offenses must be reported to the Board even if you received a suspended imposition of sentence and the record is now considered closed.

Question: What type of documentation do I need to submit in support of my application if I have a prior criminal record or license discipline?

- Answer: Certified official court document(s) relative to your criminal record, showing the date(s) and circumstance(s) surrounding your arrest(s)/conviction(s), sections of the law violated, and disposition of the case. This would normally consist

of the Complaint or Indictment, the Judgment, Docket Sheet or other documents showing disposition of your case. This can also be referred to as the Order of Probation. The court clerk MUST CERTIFY these court documents.

- Certified copy of the documents relative to any disciplinary action taken against any license. The documents must come from the agency that took the disciplinary action and must be certified by that agency.
- A detailed description of the circumstances surrounding your criminal record or disciplinary action and a thorough description of the rehabilitative changes in your lifestyle since the time of the offense or disciplinary action which would enable you to avoid future occurrences. It would be helpful to include factors in your life which you feel may have contributed to your crime or disciplinary action, what you have learned about yourself since that time, and the changes you have made that support your rehabilitation.

The burden of proof lies with the applicant to demonstrate evidence of rehabilitation. Examples of rehabilitation evidence include, but are not limited to:

- If applicable to your crime or discipline, documented evidence of professional treatment and counseling you may have completed. Please provide a discharge summary, if available.
- Letters of reference on official letterhead from employers, nursing program administrator, nursing instructors, health professionals, professional counselors, support group sponsors, parole or probation officers, or other individuals in positions of authority who are knowledgeable about your rehabilitation efforts.
- Proof of community work, education, and/or self-improvement efforts.
- Court-issued certificate of rehabilitation or evidence of expungement, proof of compliance with criminal probation or parole, and orders of the court.

Question: Can I receive a temporary permit if my application is under review?

Answer: If you are applying for a Missouri license by endorsement the answer is no. You will not be allowed to receive a temporary permit until the review has been completed, and a final decision has been made regarding your application.

If you are applying for a license by exam, you may practice under 4 CSR 200-4.020 (3), which allows for graduate nurse practice from your graduation date and until you receive the results of the first licensure examination or until ninety (90) days after graduation, whichever first occurs. You will not, however, be authorized to take the licensure exam until the review has been completed, and a final decision has been made regarding your application.

Question: How long will it take to review the information that I submit with my application?

Answer: In addition to the supporting documents, you are required to provide two completed fingerprint cards. It takes about 2 months to receive the results of the background checks from the Highway Patrol and FBI. If you are applying for a Missouri license by endorsement, we recommend that you apply for a license at least 3 months prior to when you want to begin employment in this state. If you are applying for a Missouri license by exam, we recommend that you apply at least 3 months prior to your graduation date.

Question: I am licensed in another state and want to receive my temporary license/permit ASAP. Can I obtain a temporary license/permit by coming to the Board office if I have a prior criminal record(s) or out of state disciplinary action on my record?

Answer: No. Temporary permits are not issued until all criminal records, discipline, rehabilitation, and other evidence is fully evaluated.

Question: How can I help facilitate how quickly my application is reviewed?

Answer: The Board of Nursing strongly encourages all individuals with a criminal or discipline history to be fully prepared with information regarding their background and to start the application process early.