





- (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 Trafficking, Aggravated Trafficking in Drugs, 2925.04 Illegal Manufacture of Drugs Illegal Cultivation of Marihuana-Methamphetamine Offenses, 2925.041 Illegal Assembly or Possession of Chemicals for Manufacture of Drugs, 2925.05 Funding, Aggravated Funding of Drug or Marihuana Trafficking, 2925.06 Illegal Administration or Distribution of Anabolic Steroids, 2925.11 Possession of Controlled Substances, 2925.12 Possession of Drug Abuse Instruments, 2925.13 Permitting Drug Abuse, 2925.22 Deception to Obtain a Dangerous Drug, 2925.23 Illegal Processing of Drug Documents, 2925.24 Tampering with Drugs, 2925.31 Abusing Harmful Intoxicants, 2925.32 Trafficking in Harmful Intoxicants Improperly Dispensing or Distributing Nitrous Oxide, 2925.36 Illegal Dispensing of Drug Samples, 2925.37 Counterfeit Controlled Substance Offenses, of the Revised Code.
- (b) A violation of an existing or former law of this or any other state or the United States that is substantially equivalent to any section listed above in 4. (a).
- (c) An offense under an existing or former law of this or any other state, or of the United States, of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using, or otherwise dealing with a controlled substance is an element.
- (d) A conspiracy to commit, attempt to commit, or complicity in committing or attempting to commit any offense listed above in 4. (a) (c).

### **5. Any Theft Offense as defined in Section 2913.01(K), 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) 2911.01 Aggravated Robbery, 2911.02 Robbery, 2911.11 Aggravated Burglary, 2911.12 Burglary, 2911.13 Breaking and Entering, 2911.31 Safecracking, 2911.32 Tampering with Coin Machines, 2913.02 Theft, 2913.03 Unauthorized Use of a Vehicle, 2913.04 Unauthorized Use of Property computer, cable, or telecommunication property, 2913.041 Possession or Sale of Unauthorized Cable Television Device, 2913.05 Telecommunications Fraud, 2913.06 Unlawful Use of Telecommunications Device, 2913.11 Passing Bad Checks, 2913.21 Misuse of Credit Cards, 2913.31 Forgery -Forging Identification Cards or Selling or

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 , former Section 2913.48, 2913.51 Receiving Stolen Property, 2915.05 Cheating-



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;

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. If an applicant has a criminal history, the Board conducts a thorough investigation and considers the above factors and others, including the facts and circumstances underlying the offense; and the total number and pattern of offenses.

### **Determination by Board Whether a Crime is on the List of Potentially Disqualifying Offenses**

You may request a letter from the Board of Nursing stating whether a crime is on this list of potentially disqualifying offenses by emailing: [disqualifying-offense-requests@nursing.ohio.gov](mailto:disqualifying-offense-requests@nursing.ohio.gov). A credit card payment of \$25.00 is required.

### **Other Consequences of Criminal History - Not Regulated by Board of Nursing**

Although the Board may grant a license or certificate to an applicant who has a criminal offense history, an individual may be restricted from working in certain settings based on his or her criminal history due to federal and state laws, which require criminal records checks prior to employment in certain settings, and which may impose absolute or discretionary bars to employment in certain patient care settings, for example, in facilities or settings involving care provided to older adults or children. *See, e.g., Ohio Administrative Code 173-9-07; 3701-60-07; 5123:2-2-02; 5160-45-07.*

### **Enrollment in Education Programs**

**The Board cannot answer questions regarding enrollment in education programs, dialysis, medication aide, or community health worker schools, or participate in clinical instruction.** Nursing and other program