

OREGON BOARD OF MEDICAL IMAGING

FREQUENTLY ASKED QUESTIONS ABOUT CRIMINAL BACKGROUND CHECKS

WHY DO WE REQUIRE CRIMINAL BACKGROUND CHECKS?

The Board reviews criminal history as part of the application process, including police records, court records, and an applicant’s letter of explanation for each incident. Because OBMI issues licenses for people to work in a highly-specialized profession that deals with patients who may be in a vulnerable position, the Board needs to know if applicants have engaged in certain kinds of conduct, as listed in ORS 688.525.

WILL PAST CRIMINAL ACTION DISQUALIFY MY APPLICATION?

Prior criminal history does not automatically disqualify an applicant from licensure. The Board evaluates each application on an individual basis.

WHAT DO I NEED TO REPORT?

You must report all prior arrests and criminal court actions that have not been previously reported to the Board, along with a letter of explanation for each incident.

Here are some examples:

	<u>REPORT IT?</u>
• Arrested by the police while a juvenile.....	Yes
• Arrested and/or convicted <i>long ago</i> ...several decades ago.....	Yes
• Drunk driving arrest, but received diversion from the court.....	Yes
• Arrested for a domestic disturbance for which no complaint was ever filed.....	Yes
• I completed all probation requirements and the case was dropped or dismissed.....	Yes
• Arrested and/or convicted but the incident has not shown up on any prior background checks.....	Yes
• The charges were later dropped or dismissed.....	Yes
• I received a citation for a simple misdemeanor, but was <u>not</u> detained by police	Yes
• The police later admitted that they arrested me by mistake.....	Yes
• Stopped for a speeding violation or other minor traffic violation	No

WHAT IF MY ATTORNEY TOLD ME THAT MY RECORD WAS “EXPUNGED”?

Some applicants confuse *dismissal* with *expungement*, but they are not the same. The only action that can fully erase a criminal arrest and conviction in Oregon is an *expungement*. There is a statutory process for having a record expunged. You do not need to report and arrest/conviction that has been expunged; but if it has not been expunged, you *must* report it with your application.

HOW DOES OBMI COMPLETE THE CRIMINAL BACKGROUND CHECK?

For *first-time* license and permit applicants, the OBMI submits your fingerprints to the FBI and the Oregon State Police, to complete a comprehensive background check that will uncover most any prior arrest or court action from any state, no matter how minor or how long ago it occurred, including arrests in which the charges were later dropped. For renewal applicants, the OBMI completes a criminal background check through the Oregon State Police.

WHAT IF I AM UNABLE TO OBTAIN ARREST RECORDS AND COURT RECORDS?

We require copies of any available police reports and court documents for each incident in which you were involved, if there was an arrest and/or court action. If you are having a difficult time obtaining records from a police department or courthouse, please call our office at 971-673-0215 and let us know. Even if you cannot obtain records, you *must* report the arrest and/or conviction on your application, along with a letter explaining what happened.

WHAT IF I REPORTED THE ARREST/CONVICTION ON A PREVIOUS APPLICATION?

If you have already reported an incident on your initial application or renewal application, you do not need to report that information to us again.

WHAT HAPPENS IF I FAIL TO REPORT AN ARREST OR COURT ACTION?

Any failure to fully disclose criminal history will be reviewed by the Board and may be subject to a civil penalty and permanent disciplinary action against your license.

IF YOU HAVE QUESTIONS:

Do not hesitate to call the OBMI office a 971-673-0215.