



Oregon Board of Naturopathic Examiners

Background Check Information for Applicants



Introduction

The authority of the Oregon Board of Naturopathic Examiners (OBNE) to conduct background checks and require fingerprints of applicants and others is provided by ORS 685.195, and the rules governing the process are provided by OAR 850-030-0020. Background checks are required of all applicants for licensure, and conducted to further the Board's public protection mandate.

Information Collected

OBNE is authorized to obtain state and national criminal history information and records for persons subject to investigation, including applicants for licensure and applicants for renewal. This information is obtained from a variety of sources, including the Oregon State Police, the Federal Bureau of Investigation, courts, correctional institutions, law enforcement agencies, and other records repositories.

Information Dissemination

As required by law, the information obtained during the course of a background check is confidential, and protected from public disclosure. Unless otherwise authorized by law, OBNE will not disseminate or distribute any information obtained during the course of a background check. However, an applicant may submit a written request for an opportunity to personally review the contents of their criminal history file, if one exists.

Applicant Integrity

It is important that an applicant provide truthful, candid information during the background check process. If an applicant is found to be deceptive, untruthful, or provides false information, it is likely that their application will be rejected.

Assessment

The results of every background check are reviewed on a case-by-case basis. The records and information obtained, if any, are examined to determine if the applicant's personal history makes them unfit for licensure. If OBNE determines that an applicant is unfit for licensure, the application will be rejected.

As required by administrative rule, OBNE will consider several factors when evaluating the results of a background check where criminal history is detected:

- 1) The nature of the crime;
- 2) The facts that support the conviction or pending indictment or that indicate the making of the false statement;
- 3) The relevancy, if any, of the crime or the false statement to the specific requirements of the applicant's or licensee's present or proposed license; and
- 4) Intervening circumstances relevant to the responsibilities and circumstances of the license. Intervening circumstances include but are not limited to:
 - a) The passage of time since the commission of the crime;
 - b) The age of the applicant or licensee at the time of the crime;
 - c) The likelihood of a repetition of offenses or of the commission of another crime;
 - d) The subsequent commission of another relevant crime;
 - e) Whether the conviction was set aside and the legal effect of setting aside the conviction; and
 - f) A recommendation of an employer.

The fact that an applicant has a clear criminal history record does not guarantee the granting or renewal of a license. If OBNE determines that an applicant is not fit for licensure, the applicant is entitled to a contested case process, pursuant to ORS 183.413-470.

Fingerprint Cards

It is the applicant's responsibility to obtain clear, classifiable fingerprints from a qualified fingerprinting professional. If a fingerprint card is rejected due to poor quality, the applicant may incur additional fees for fingerprint card resubmission. Fingerprinting service may be found at many law enforcement agencies and private businesses. Fingerprinting services can be located in local business directories.

It is important that the cards are complete and accurate, and that all applicant identification information is provided. Instructions for fingerprinting can be found on the back side of the fingerprint card. If a card provided by OBNE is lost or damaged, only an FBI authorized replacement card may be used. Most fingerprinting agencies can provide blank replacement cards.

Background Check Flowchart

This chart provides a general view of the background check process.

