



Oregon Board of Naturopathic Medicine

Background Check Information for Applicants



Introduction

The authority of the Oregon Board of Naturopathic Medicine (OBNM) 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. Effective January 1, 2014, all criminal background check fingerprint submissions must be done so electronically. Electronic fingerprints are also referred to as "Live Scan" prints.

Information Collected

OBNM 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, OBNM 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 OBNM determines that an applicant is unfit for licensure, the application will be rejected.

As required by administrative rule, OBNM 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 OBNM determines that an applicant is not fit for licensure, the applicant is entitled to a contested case process, pursuant to ORS 183.413-470.

Fingerprinting Process

Download the “*Request for Transmission of Electronic Regulatory Fingerprints*” (ERF) form, found at the OBNM web site, and take it with you to have your fingerprints electronically (live scan) sent to the Oregon State Police. If you cannot download the form, contact the OBNM office we will put one in the mail to you. Not all fingerprint service providers offer electronic fingerprinting services at this time; you will want to make sure the fingerprint service offers this before submitting prints. Oregon applicants must submit electronic prints unless otherwise approved by this office. Out of State applicants will need to use the printed cards (take the ERF form with you, it has important information on it that will be needed to submit prints) and once prints are done submit it directly to the OBNM office.

Although electronic fingerprinting is much more accurate, if prints are rejected due to poor quality, the applicant may incur additional fees from the fingerprint service. Electronic (Live Scan) fingerprinting service may be found at many law enforcement agencies and private businesses, or may be found in local business directories.

It is important that the fingerprints are complete and accurate, and that all applicant identification information is provided. If any piece of the information provided on the pre-printed form, found at our web site is missing, the results may not be forwarded to this office in a timely manner. If this happens it may delay the application for licensure.

Complete information for fingerprinting is provided on the ERF form, found at our web site or through the OBNM office.

The results from the OSP background check are submitted to the OBNM investigator. The OBNM investigator may conduct further investigation before reporting to the Board. Only after a background check has been completed will an applicant be considered for licensure.

Right to a Copy of Your Criminal Background Check

*You have a right to obtain a copy of your criminal background check

*** For information on the Federal Bureau of Investigation National Criminal Background, go to**
http://www.fbi.gov/about-us/cjis/background-checks/background_checks

*** Where can you go to get more information on the Oregon State Police Criminal Background check?**
http://www.oregon.gov/osp/ID/pages/public_records.aspx

Background Check Flowchart

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

