

## FREQUENTLY ASKED QUESTIONS ABOUT CRIMINAL BACKGROUND CHECKS

### **WHY DOES THE OREGON BOARD OF MEDICAL IMAGING 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?**

<b><u>With any initial or renewal application, you must report specific arrests and criminal court actions that <u>have not been previously reported</u> to the Board. Those actions that must be reported are:</u></b>	<b><u>REPORT IT?</u></b>
1. Any felony <u>conviction</u> , no matter how long ago .....	Yes
2. Any <u>arrest</u> for a felony, if the arrest occurred within four years from the date that the Board receives your application .....	Yes
3. Any misdemeanor <u>conviction</u> that occurred after your 18 <sup>th</sup> birthday and that is within 4 years from the time the Board receives your application.....	Yes
4. Any misdemeanor <u>arrest</u> for a crime against a person that occurred after your 18 <sup>th</sup> birthday and within 4 years from the date that the Board receives your application.....	Yes
5. Any misdemeanor <u>arrest</u> for intoxicants or illegal drugs that occurred after your 18 <sup>th</sup> birthday and within 4 years from the date that the Board received your application (including DUII that resulted in diversion by the court.) .....	Yes
<b><u>Some examples/questions to consider, when deciding what to report: If I have any of the above five categories of offenses, that have <u>not</u> been previously reported to the Board, do I need to report them if...</u></b>	
	<b><u>REPORT IT?</u></b>
• I was 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
• I was arrested and/or convicted but the incident has not shown up on any prior background check?..	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
• I was 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 an arrest/conviction that has been expunged.

### **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 REQUIRED ARREST RECORDS AND COURT RECORDS?**

We require copies of any available police reports and court documents for each incident that must be reported, if there was an arrest and/or court action. If you cannot obtain the arrest records or court records, you must provide a letter from the respective police department and/or court stating that the records regarding your arrest or court action are not available.

### **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 it 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.

**QUESTIONS:** Do not hesitate to call the OBMI office a 971-673-0215 or email to [OBMI.info@state.or.us](mailto:OBMI.info@state.or.us).



Oregon Board of Medical Imaging  
800 NE Oregon Street, Suite 1160!  
Portland, OR 97232-2162  
Phone: 971-673-0215 / Fax: 971-673-0218  
Website: <http://www.oregon.gov/OBMI>  
Email: OBMI.Info@state.or.us

## SUPPLEMENTAL CRIMINAL HISTORY FORM

Use as many of these criminal history forms as needed. Please number your sheets at the bottom of this page.

Applicant's Full Name: \_\_\_\_\_ Social Security No: \_\_\_\_\_

**Instructions:** List your past arrests in chronological order. Make sure you staple the arrest report along with the court document(s) along with your letter of explanation together separately for each arrest. Unorganized reports will be returned which will delay the processing of your application.

Date of Offense:	Arresting Agency:	Location:	Charge:
Description Of Offense:			
Disposition:			
<input type="checkbox"/> <b>Yes! I have included the Arrest Report for this arrest.</b> (Your arrest report will only be available from the arresting agency. (i.e. Sheriff, Police Department, State Police...) The courthouse will not have your arrest report.			
<input type="checkbox"/> <b>Yes! I have included my Court Document(s) for this arrest.</b> (Court documents will only be available at the courthouse where you were arraigned and/or a judgement was imposed on you.)			

Date of Offense:	Arresting Agency:	Location:	Charge:
Description Of Offense:			
Disposition:			
<input type="checkbox"/> <b>Yes! I have included the Arrest Report for this arrest.</b> (Your arrest report will only be available from the arresting agency. (i.e. Sheriff, Police Department, State Police...) The courthouse will not have your arrest report.			
<input type="checkbox"/> <b>Yes! I have included my Court Document(s) for this arrest.</b> (Court documents will only be available at the courthouse where you were arraigned and/or a judgement was imposed on you.)			

Disclosure: Failure to submit or disclose accurately "ALL" required criminal history can be grounds for disciplinary action and a possible civil penalty. (OAR 337-010-0023(1)through(15) and OAR 337-030-0010)(g)(i)). If you need help filling out this criminal history form please contact our office at: 971-673-0215.

Applicant Signature: (Required) \_\_\_\_\_ Date: \_\_\_\_\_