



PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 850

OREGON BOARD OF NATUROPATHIC MEDICINE

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FILING CAPTION: Criminal Conviction Determination Process for Licensure

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RULE TITLE: Criminal Conviction Determination Process for Licensure

NOTICE FILED DATE: 06/24/2025

RULE SUMMARY: The rule implements SB 1552 (2024) section 44 allowing a person to petition a licensing board for a determination as to whether a criminal conviction would prevent the person from receiving a license. Section 44 and the rule become operative on July 1, 2025.

RULE TEXT:

(1) As used in this rule:

(a) "Applicant" means a person who has applied for a license from the Oregon Board Of Naturopathic Medicine (Board).

(b) "Petitioner" means a person who has requested the Board review their criminal history to determine whether it will prevent them from being granted a license by the Board.

(2) A person who was convicted of a crime may petition the Board for a determination as to whether a criminal conviction will prevent the person from receiving a license issued by the Board.

(3) The petitioner must submit the Board's determination request form, relevant criminal history documentation, and the required \$75 fee.

(4) The Executive Director has the authority to review a petitioner's request under this rule and to determine whether

the petitioner's criminal conviction(s) prevent the person from obtaining a license issued by the Board.

(5) The Board will reconsider a determination that a criminal conviction prevents the person from obtaining a license if the person submits a completed application for a license.

(6) Upon reconsideration, the Board may rescind a previous determination that a criminal conviction does not prevent the person from obtaining a license if the applicant:

(a) Has allegations or charges pending in criminal court;

(b) Failed to disclose a previous criminal conviction;

(c) Has been convicted of another crime during the period between the determination and the person's submission of a completed application for an occupational or professional license; or

(d) Has been convicted of a crime that, during the period between the determination and the person's submission of a completed application for an occupational or professional license, became subject to a change in state or federal law that prohibits licensure for an occupational or professional license because of a conviction of that crime.

(7) Failure to disclose a previous criminal conviction includes any misrepresentation of a prior criminal conviction, any concealment or failure to disclose a material fact about a prior criminal conviction, or any other misinformation regarding a prior criminal conviction.

(8) Nothing in this rule prohibits the Board from denying licensure for a reason other than conviction of a crime.

(9) A determination made under this rule:

(a) Is subject to the same confidentiality requirements that are applicable to completed applications for a license; and

(b) Is not considered a final determination of the Board.

STATUTORY/OTHER AUTHORITY: 685.125(2)

STATUTES/OTHER IMPLEMENTED: Oregon Laws 2024, chapter 95, section 44 (SB 1552),