



## PERMANENT ADMINISTRATIVE ORDER

**OMB 8-2025**  
CHAPTER 847  
OREGON MEDICAL BOARD

**FILED**

04/08/2025 3:46 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Creates criminal conviction determination process to implement SB 1552 (2024)

EFFECTIVE DATE: 07/01/2025

AGENCY APPROVED DATE: 04/03/2025

CONTACT: Elizabeth Ross  
971-673-2700  
elizabeth.ross@omb.oregon.gov

1500 SW 1st Avenue Suite 620  
Portland, OR 97201

Filed By:  
Elizabeth Ross  
Rules Coordinator

ADOPT: 847-007-0010

RULE TITLE: Criminal Conviction Determination Process

NOTICE FILED DATE: 01/13/2025

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 Medical Board (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: ORS 677.265, Oregon Laws 2024, chapter 95, section 44 (SB 1552)

STATUTES/OTHER IMPLEMENTED: Oregon Laws 2024, chapter 95, section 44 (SB 1552), ORS 677.100, ORS 677.188(1), ORS 677.190, ORS 677.512, ORS 677.759, ORS 677.820