

CRIMINAL CONVICTION REVIEW POLICY (2019-10)

Individuals with a criminal conviction that wish to apply for a license (certificate of authorization), may make a request to the board for a determination as to whether a criminal conviction(s) is a disqualifier from obtaining licensure, in accordance with section [9.78](#) of the Ohio Revised Code (ORC). Submit the request along with a completed [Criminal Case Form](#) (Exhibit A), to the board office for review. The criminal history will be evaluated based upon the aggravating and mitigating factors to determine whether the offense constitutes a lack of good moral character, which is a license requirement under ORC section [4725.12](#), [4725.48](#), [4725.52](#) and [4725.53](#).

The executive director will notify the applicant if the criminal conviction(s) is a disqualifier from licensure within 30 days of receiving the completed request. The determination does not prevent formally applying for a license. If the board proposes to deny the application, the applicant will be afforded an opportunity for a hearing before the board, in accordance with Ohio Revised Code Chapter [119](#). Pursuant to Revised Code section [9.78](#) the board is not bound by a determination made, if, on further investigation, it is determined that the criminal conviction(s) differs from the information presented in the initial determination request.

Disqualifying Convictions for Licensure

The following offenses disqualify an individual from obtaining a license from the Board: aggravated murder, murder, voluntary manslaughter, felonious assault, kidnapping, rape, sexual battery, gross sexual imposition, aggravated arson, aggravated robbery, aggravated burglary, human trafficking, any offense for which the applicant must register as a sex offender, or a plea of guilty to, or a conviction of, any substantially equivalent criminal offense in another jurisdiction.

Criminal offenses that automatically disqualify an individual from obtaining a license from the board include crimes of moral turpitude, as that term is defined in Revised Code Section [4776.10](#), specifically:

- (1) A violation of section [2903.01](#) or [2903.02](#) of the Revised Code;
- (2) A sexually oriented offense as defined in section [2950.01](#) of the Revised Code;
- (3) An offense that is an offense of violence as defined in section [2901.01](#) of the Revised Code, if the offense is a felony of the first or second degree;
- (4) Complicity in committing an offense described in division (1) of this section;
- (5) An attempt or conspiracy to commit or complicity in committing any offense described in division (A)(1), (2), (3), or (4) of this section if the attempt, conspiracy, or complicity is a felony of the first or second degree;
- (6) A violation of any former law of this state, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any offense listed in division (A)(1), (2), (3), (4), or (5) of RC [4776.10](#).

Effective Date: July 18, 2019