

Information on Criminal Convictions for People Interested in a Nursing Career in Nevada

**Your criminal conviction may prevent you
from receiving a Nevada nursing license or nursing assistant certificate**

**Even if you receive a nursing license or nursing assistant certificate,
you may not be allowed to work in several types of health care settings**

The Nevada State Board of Nursing requires all applicants for nursing licenses and nursing assistant certificates to answer five screening questions (attached). These questions address criminal convictions, discipline in another state, chemical dependency, and medical and mental health conditions. In addition, all applicants must submit their fingerprints for an FBI and State of Nevada criminal background check.

Question #2 reads: **Have you ever had a criminal conviction, including a misdemeanor or felony, or had a civil judgment rendered against you? If the answer is YES, you must attach to this application the following:**

- a. A letter of explanation including the date of offense, circumstances leading to the arrest, actual conviction, sentence, additional convictions and current status of sentence;*
- b. Copies of court documents identifying actual conviction and sentence and current status of sentence (i.e. all fines paid in full, etc). If no documents are available, a letter from the court stating such;*
- c. FBI and State of Nevada fingerprint reports;*
- d. A letter from Parole/Probation Officer regarding completion of sentence, if applicable; and*
- e. A letter of reference from your current/last employer.*

Important points to remember if you've ever been convicted of a crime

- Even if you have been told a conviction has been expunged, sealed, dismissed, dropped, closed, etc., it may still show up on your fingerprint report.
 - You could have been convicted even if you didn't spend any time in jail.
 - Criminal convictions include misdemeanors and felonies.
- If you answered "NO" to Question #2 and the Board finds you have a conviction, your application will be denied as a fraudulent application.
- If you answered "YES" to Question #2 and do not attach the required documents, your application will not be considered by the Board until you provide the documents.

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If you answered “YES” to Question #2 and attach the required documents, the Board may accept or deny your application based on evidence of rehabilitation and the potential/actual risk to the public. The Board considers each application individually, using the guidelines below.

A. Board staff *may* clear your application and *may* grant you a license or certificate, if

- you have a minor event, minor traffic-related matters, minor criminal citations, and/or juvenile offenses that occurred with seven years before application; or
- you have three minor events that occurred between seven and ten years before application; or
- you have multiple minor events that occurred more than ten years before application.

“Minor event” is defined as any conviction that is not a felony or one of the eight convictions listed below.

B. Board staff *will* bring your application before the Board for acceptance or denial if you have more than one criminal conviction within the last seven years or if you have a felony. You will receive written notice regarding the date the Board will consider your application. You may appear before the Board to present information on your rehabilitation and reasons you believe the Board should accept your application. At that time, the Board may deny your application, which is reported as a disciplinary action, or the Board may accept your application, granting you a license or certificate, possibly with restrictions.

C. Board staff *will* deny your application if you have any of the convictions listed below.

1. Murder, voluntary manslaughter or mayhem;
2. Assault with intent to kill or to commit sexual assault or mayhem;
3. Sexual assault, statutory sexual seduction, incest, lewdness or indecent exposure, or any other sexually related crime that is punished as a felony;
4. Prostitution, solicitation, lewdness or indecent exposure, or any other sexually related crime that is punished as a misdemeanor, within the immediately preceding 7 years;
5. A crime involving domestic violence that is punished as a felony;
6. A crime involving domestic violence that is punished as a misdemeanor, within the immediately preceding 7 years;
7. Abuse or neglect of a child or contributory delinquency;
8. A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in [chapter 454](#) of NRS, within the immediately preceding 7 years;
9. Abuse, neglect, exploitation or isolation of older persons or vulnerable persons, including, without limitation, a violation of any provision of [NRS 200.5091](#) to [200.50995](#), inclusive, or a law of any other jurisdiction that prohibits the same or similar conduct;
10. A violation of any provision of law relating to the State Plan for Medicaid or a law of any other jurisdiction that prohibits the same or similar conduct, within the immediately preceding 7 years;
11. A violation of any provision of [NRS 422.450](#) to [422.590](#), inclusive;
12. A criminal offense under the laws governing Medicaid or Medicare, within the immediately preceding 7 years;
13. Any offense involving fraud, theft, embezzlement, burglary, robbery, fraudulent conversion or misappropriation of property, within the immediately preceding 7 years;
14. Any other felony involving the use or threatened use of force or violence against the victim or the use of a firearm or other deadly weapon; or
15. An attempt or conspiracy to commit any of the offenses listed in this paragraph, within the immediately preceding 7 years;

After receiving written notice that Board staff has denied your application, you can appeal the denial by sending a certified letter to the Board requesting a review by the Board. This must be done within 30 days after the denial notice is mailed to you. If the Board upholds the staff denial, it will be reported as a disciplinary action. If the Board overturns the staff denial, you will receive a license or certificate, possibly with restrictions, after you have met all other licensure/certification requirements.

For questions on the Nevada State Board of Nursing's laws, regulations and policies regarding applicants with criminal convictions, please call toll free 1-888-590-6726.

If you have one of the criminal convictions listed above (1-15) and the Nevada State Board of Nursing grants you a license or certificate, the Nevada State Health Division will *not* allow you to work in any capacity in a facility for intermediate care, facility for skilled nursing, home health care, or a residential facility for groups.

For questions about the type of health care facilities in which you may work, please call the Nevada State Division of Health, Bureau of Health Care Quality and Compliance, in Carson City at 775-687-4475 and in Las Vegas at 702-486-6515.

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