

## **Oklahoma Board of Chiropractic Examiners**

### **Initial Determination of disqualification for licensure based on criminal history pursuant to HB 1373 codified at 59 O.S. § 4000.1.**

A person who has pleaded guilty, nolo contendere, or been convicted or received a deferred sentence for a felony on the list of crimes adopted by the Board, may at any time, including before obtaining any required education or applying to sit for any necessary examination, request an initial determination as to whether the person's criminal history would potentially disqualify the individual from licensure as a chiropractic physician in Oklahoma. The request shall be in writing and shall include either a copy of the person's criminal history record or a statement describing each conviction including the date of conviction, the court of jurisdiction, and the sentence imposed. The person may submit any additional information including, but not limited to, the person's current circumstances, the length of time since the completion of any sentence, including probation, evidence of rehabilitation, testimonials or personal reference statements, as well as the person's professional aspirations.

Upon receipt of a written request for consideration of a person's criminal history record, the Executive Director and Board Chair, in consultation with the Board legal counsel, shall evaluate the request and make an initial determination based upon the information provided. A notice of initial determination shall be issued within sixty (60) days from the date the request was received. If the person is not satisfied with the response, the person may request that the matter be placed on the agenda of the Board's next regularly scheduled meeting.

The notice of initial determination shall be in writing and mailed to the requestor at the address provided in the request, and shall contain the following statements:

1. Whether the person appears eligible for licensure at the current time based upon the information submitted by the requestor;
2. Whether there is a disqualifying offense prohibiting the person's licensure at any time and a statement identifying such offense in the criminal history record or information submitted for consideration;
3. Any actions the person may take to remedy what appears to be a temporary disqualification, if any;
4. The earliest date the person may submit another request for consideration, if any; and
5. A statement that the notice of initial determination is only an initial determination for eligibility for licensure based upon the information provided by the requestor. Additional information or intervening events may result in a different final determination.