

<b>National Registry of Emergency Medical Technicians®</b> <small>THE NATION'S EMS CERTIFICATION™</small>	<h1>Criminal Convictions</h1>		
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## Intent

The intent of this policy is to establish eligibility requirements for National Certification related to criminal convictions.

## Scope

This applies to eligibility requirements for initial and continuing certification by the National Registry.

## Definitions

Conviction – an applicant’s plea of nolo contendere, a guilty plea, or plea agreement, as well as a conviction after trial

## Policy

1. The National Registry may deny an applicant eligibility to sit for a certification examination, deny certification, suspend or revoke an individual’s certification, or take other appropriate action with respect to the applicant’s certification or recertification based on an applicant’s felony criminal convictions and all other criminal convictions (whether felony or misdemeanor) relating to crimes involving physical assault, use of a dangerous weapon, sexual abuse or assault, abuse of children, the elderly or infirm and crimes against property, including robbery, burglary and felony theft.
2. All applicants for certification or recertification must disclose any criminal conviction as required on an application.
3. This policy applies to an applicant’s plea of nolo contendere, a guilty plea, or plea agreement, as well as a conviction after trial.
4. Applicants are not required to disclose any criminal conviction that has been expunged from the public record or a deferred adjudication that did not result in the entry of a conviction judgment.
5. Failure to disclose a covered criminal conviction or the withholding of any material information regarding such conviction shall be an independent basis for denial of eligibility to sit for a certification examination, revocation of a certification or denial of an application for recertification.
6. National Registry shall advise licensing authorities of the availability of information related to disclosure of convictions.
7. National Registry may deny an applicant eligibility to sit for the certification examination, or take other appropriate action, if the applicable state licensing authority, in any state in which the applicant holds or seeks a license as an EMS professional, denies the applicant’s eligibility to obtain, or suspends or revokes, authorization to practice, based on a criminal conviction.

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8. Notwithstanding the absence of any adverse action taken by an applicable state licensing authority on the basis of an applicant's criminal conviction, National Registry may deny an applicant eligibility to sit for a certification examination or recertification if, in the National Registry's sole discretion, based on the following considerations, the National Registry determines that certification may jeopardize public health and safety:
- a. The seriousness of the crime.
  - b. Whether the crime relates to performance of the duties of an EMS professional.
  - c. How much time has elapsed since the crime was committed.
  - d. Whether the crime involved violence to, or abuse of, another person.
  - e. Whether the crime involved a minor or a person of diminished capacity.
  - f. Whether the applicant's actions and conduct since the crime occurred are consistent with the holding of a position of public trust.
  - g. Whether the applicant is a repeat offender.
  - h. Whether the applicant has complied with all court orders and probationary requirements associated with the conviction.

Any applicant or registrant subject to an adverse decision by the National Registry under this Policy may appeal that decision as outlined in the National Registry Certification Eligibility, Discipline and Appeals Policy.

### **Rationale**

The National Registry of Emergency Medical Technicians (National Registry) has adopted a Criminal Conviction Policy to safeguard the public from individuals who, in practice as an EMS professional, might pose a danger to the public.

EMS professionals, under the authority of their state authorization to practice, have unsupervised, intimate, physical and emotional contact with patients at a time of maximum physical and emotional vulnerability, as well as unsupervised access to a patient's personal property. These patients may be unable to defend or protect themselves, voice objections to particular actions, or provide accurate accounts of events at a later time. EMS professionals, therefore, are placed in a position of the highest public trust.

The public in need of out-of-hospital medical services relies on state authorization to practice and national certification to assure that those EMS professionals who respond to their calls for aid qualify for this extraordinary trust. For these reasons, the National Registry has adopted this Criminal Conviction Policy to ensure that individuals, who have been convicted of certain crimes, are identified and appropriately evaluated as to whether they would pose a risk to public safety as an EMS provider.

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### **Related Policies and Procedures**

Terms of Certification

### **References**

None

### **Document History**

2017-05-19      Created and approved

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