



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Professions Licensure
Board of Registration in Nursing
250 Washington Street, 3rd Floor Boston, MA 02108

**DETERMINATION OF GOOD MORAL CHARACTER COMPLIANCE
INFORMATION SHEET**

Applicants for initial licensure by examination, initial licensure by reciprocity, or initial Advanced Practice Registered Nurse (APRN) authorization by the Massachusetts Board of Registration in Nursing (Board) must comply with the “good moral character” (GMC) requirement specified at Massachusetts General Laws Chapter 112, sections 74, 74A and 76. The Board requires all applicants to answer specific questions related to criminal convictions or disciplinary actions when applying for nurse licensure or APRN authorization to ensure that the conduct of each applicant to whom it grants a license, authorization, or both, does not pose an unacceptable risk to the public health, safety and welfare.

Individuals who answer “yes” to the GMC-related licensure or APRN authorization application questions and who are not excluded from licensure or authorization as set forth in Licensure Policy 00-01 must submit all relevant documentation as required for the Board to determine his/her compliance with the GMC licensure requirement. Applicants are strongly advised to obtain and review records relating to their criminal and/or disciplinary history to assist in the accurate completion of the initial application.

Any open criminal matter, criminal conviction which has not been closed for at least one (1) year from the completion of all conditions, or licensure disciplinary action disclosed at the time of application submission will result in a determination of non-compliance with GMC requirement and the application will be denied by the Board. Similarly, the Board will deny any application which expires or has been withdrawn by the Applicant before the Board’s receipt of all required documentation or conclusion of the GMC Evaluation.

REQUIRED DOCUMENTATION

Each applicant should review the Documentation Required for Determination of Good Moral Character Compliance checklist located at the end of this document to identify the specific items needed to complete his/her application for GMC compliance. It is the applicant’s responsibility to furnish adequate documentation and other information to the Board as directed.

Important note: The Board does not communicate with third party entities (nursing programs, prospective employers, employment agencies, etc.) acting on behalf of the applicants during the application or Good Moral Character Evaluation process. All documents relevant to the evaluation must be received directly from the applicant or other specified source.

EVALUATION

Applications for GMC compliance will not be evaluated prior to the submission of a complete application and fee(s) to Professional Credential Services (PCS). Instructions for submitting an application for licensure or APRN authorization are available online at <http://www.pcshq.com>.

Applicants should allow a minimum of eight (8) weeks to complete GMC evaluation after all required documents have been received. Failure to submit a complete application, fees, and/or required documents will delay review of the applicant's materials. Applicants will receive written notification of the Board's decision once a determination has been made.

FREQUENTLY ASKED QUESTIONS

What is GMC?

GMC is defined for practical purposes as the ability to practice nursing in a safe and competent manner and without risk to the public health, safety or welfare. Because it is not scientifically determinable, the Board uses evidence of past and present conduct as described below to assess GMC. Licensed nurses are required by law and regulation to be of Good Moral Character.¹

How can I demonstrate GMC?

You must submit documentation as required to the Board of all available pertinent information regarding past and present conduct and disciplinary and/or criminal history. Additional information is available by accessing Licensure Policy 00-01 at <http://www.mass.gov/eohhs/docs/dph/quality/boards/nursing-good-moral-policy.pdf>.

How does the Board define “conviction” in connection with the GMC evaluation?

For the purpose of GMC evaluation, “conviction” means the final judgment on a verdict or finding of guilty, a plea of guilty, a plea of nolo contendere (no contest), or a plea treated by the court as a guilty plea, regardless of the jurisdiction in which the conviction was entered.

I have an open criminal case or disciplinary action. Am I eligible for licensure?

No. Your criminal case or disciplinary action must be closed prior to submitting your application for GMC compliance evaluation. The Board will deny an application for GMC compliance if the applicant has failed to fulfill all requirements imposed by a licensure/certification body or if all criminal matters have not been closed for at least one (1) year.

Can I be permanently excluded from licensure?

Yes, conduct underlying certain felony convictions will result in mandatory permanent exclusion from nursing practice in Massachusetts.² Examples of such conduct include:

- the conduct underlying the crimes listed on *Attachment A* of Licensure Policy 00-01.
- the conduct underlying any other violent crime against any person(s) that involves extreme disregard of human life.
- trafficking in, or illegally manufacturing, any controlled substance; and,
- exploitation or criminal mistreatment of a vulnerable individual.³

I have a criminal conviction that has been closed for at least a year and I do not meet the criteria for permanent exclusion. Am I eligible for licensure?

You may be eligible for licensure in Massachusetts. Please review the information related to the Temporary Exclusion, Exception to Temporary Exclusion and Case by Case Evaluation outlined in Licensure Policy 00-01 at <http://www.mass.gov/eohhs/docs/dph/quality/boards/nursing-good-moral-policy.pdf>.

What is the Case by Case Evaluation process?

If an applicant is not permanently or temporarily excluded from licensure or APRN authorization, the Board will evaluate conduct demonstrating an absence of the attributes of GMC on a case by case basis. Additional information is available by accessing Licensure Policy 00-01 at <http://www.mass.gov/eohhs/docs/dph/quality/boards/nursing-good-moral-policy.pdf>.

My case was sealed or expunged from my record. Do I have to report it to the Board?

No. However, it is your responsibility to confirm the disposition of your record. We recommend that you retain a copy of the Court Order expunging or sealing the record that can be provided to the Board if requested.

My case was dismissed or nolle prossed. Do I have to report it to the Board?

No. You are not required to disclose criminal matters that did not result in a conviction as defined in Licensure Policy 00-01 at <http://www.mass.gov/eohhs/docs/dph/quality/boards/nursing-good-moral-policy.pdf>.

Do I need to report Motor Vehicle offenses?

Certain Motor Vehicle Offenses must be disclosed. These include all misdemeanor or felony convictions that involve drugs and/or alcohol (e.g. OUI, DUI, or similar offenses).

When should I submit my documentation?

We recommend that you start gathering required documents as early in the application process as possible. It is best to send all required documents collectively to the Board at the same time you mail your application for licensure to PCS. The Board will review all required materials upon receipt of a complete application and fee(s) by PCS. Instructions for submitting the application for licensure or APRN authorization are available online at <http://www.pcshq.com>.

Do I need to request a Criminal Offender Record Information (CORI)?

All initial applicants requiring GMC evaluation must complete the CORI Acknowledgment Form. The CORI form must be signed in the presence of a notary public who has verified the applicant's identity through a valid government issued identification. For additional information, please contact the CORI Coordinator at (617) 973-0851.

I have a job scheduled to start next week/month/etc. How can I expedite my GMC evaluation?

The Board does not expedite the evaluation process. To practice nursing as an LPN, RN, or APRN in Massachusetts, you must hold and maintain a valid, current nursing license issued to you by the Board. Licensure applicants cannot accept employment in nursing positions (including orientation to a nursing position) until after they have been issued a valid, current license by the Board.

What happens if my application is withdrawn or expired before all the required documentation is received by the Board?

Should you decide to withdraw your application for licensure in lieu of completing GMC evaluation or if your application expires before all the required documentation is received, the Board will deny

your application and open and close a complaint for tracking and reporting purposes as required and authorized by law.

What happens if there is a determination of non-compliance with the GMC requirement?

Applicants who are determined not to be in compliance with the GMC requirement will be ineligible for licensure or APRN authorization and a complaint will be opened and closed for tracking and reporting purposes as required and authorized by law. In addition, the Board will open a complaint against any existing Massachusetts nursing license based on non-compliance with the GMC requirement. The individual will be reported as required and authorized by law.

How will I be notified if I am found to be non-compliant with the GMC requirement? Do I have a right to review of the decision?

The Board will notify you of its decision to deny licensure or APRN authorization, the reason(s) for the denial, and the opportunity for review of the denial. The Board may also inform you of the requirements, if any, that must be satisfied before you may reapply. You shall be afforded the opportunity for a hearing where you allege, and can reasonably substantiate, the existence of specific areas of factual dispute relevant to the determination of your GMC ineligibility under this Policy. If there are no areas of factual dispute, the Board may rely on written submissions in rendering a final decision on review. Judicial review of a Board final decision to deny licensure or APRN authorization may be sought as provided by G.L. c. 30A, §14.

¹ As required by Massachusetts General Laws (G.L.) Chapter 112, sections 74 (RN licensure by examination), 74A (LPN licensure by examination), 76 (licensure by reciprocity), 80B (Advanced Practice authorization) and the Board's regulations at 244 CMR 4.00, 8.02(1)(a), 8.03(1)(a), 8.04(1)(a), 8.04(2)(a), 8.04(3)(a), and 9.03.

²Or within five (5) years of a written request for a determination of GMC compliance.

³Including a minor, elder, or disabled individual.



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**DOCUMENTATION REQUIRED FOR
 DETERMINATION OF GOOD MORAL CHARACTER (GMC) COMPLIANCE**

A complete license application and fee(s) must be submitted to Professional Credential Services (PCS) before documentation will be processed and reviewed. It is best to send all required documents collectively to the Board of Registration in Nursing (Board) at the same time the application and fee(s) are sent to PCS. Instructions for submitting an application are available online at <http://www.pcshq.com>.

| <input checked="" type="checkbox"/> | DOCUMENTATION REQUIRED | WHO MUST SUBMIT |
|-------------------------------------|---|--|
| <input checked="" type="checkbox"/> | Massachusetts Criminal Offender Record Information (CORI) Acknowledgement Form signed in the presence of a notary public who has verified the applicant's identity through a valid government issued identification. | All initial applicants requiring GMC compliance evaluation. |
| <input checked="" type="checkbox"/> | Initial applicant's signed written explanation about each criminal conviction or disciplinary action, or both, including: <ul style="list-style-type: none"> • a description, with dates, of the conviction(s) or disciplinary action(s), or both. • a description of the criminal sentence(s) and court-ordered requirement(s), and/or disciplinary sanction(s) imposed and served with the dates each criminal case or disciplinary action was closed. • a detailed description of the circumstances surrounding each criminal conviction, or disciplinary action, or both. • actions taken by the applicant to prevent the recurrence of conduct underlying each criminal conviction, or disciplinary action, or both. • if the application is for initial licensure by examination: a description of the applicant's participation in extracurricular activities during nursing program enrollment; professional and community activities and professional goals; and • if a criminal conviction, or disciplinary action, or both, involve(s) alcohol or drug use: a detailed description of interventions and support systems currently used by applicant to maintain sustained recovery. <p>This explanation must be typed in business format, addressed to the Board, and include the date written, applicant's full name, address, email address, telephone number and the applicant's original signature.</p> | All initial applicants requiring GMC compliance evaluation. Note: Initial applicants are strongly advised to obtain and review a copy of their record of criminal conviction(s), or disciplinary action(s), or both, to assure that they fully address all matters in their written explanation to the Board. |
| <input checked="" type="checkbox"/> | Initial applicant's current resume. Employment gaps must be explained in the resume or applicant's letter of explanation. | All initial applicants requiring GMC compliance evaluation. |
| <input checked="" type="checkbox"/> | Reference from an employment supervisor who has observed the applicant's conduct on a weekly basis if employed within one (1) year of the date of application. Each reference must be written on institution letterhead, be addressed to the Board, and include the date written, length of time and capacity in which the author has known the applicant, and the author's original signature. | All initial applicants requiring GMC compliance evaluation. |

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| <p>Reference from a nursing program instructor or administrator who has observed the applicant's conduct on a weekly basis within one (1) year of the date of application. Note: Clinical evaluations will not be accepted.</p> <p>Each reference must be written on institution letterhead, be addressed to the Board, and include the date written, length of time and capacity in which the author has known the applicant, and the author's original signature.</p> | <p>All licensure by exam (NCLEX) applicants requiring GMC compliance evaluation.</p> |
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The following items must be sent to the Board directly from the specified source or forwarded by the applicant in a sealed, unopened envelope. The delivery method must clearly show that the documents were sent from the issuing agency and were not handled by the applicant or an agent of the applicant. If any documents are unavailable, the applicant must provide a certified statement from the court, agency and/or licensure/certification body attesting to this fact.

| <input checked="" type="checkbox"/> | DOCUMENTATION REQUIRED | WHO MUST SUBMIT |
|-------------------------------------|---|---|
| | Certified record of the final written determination of each disciplinary action, including closure, sent directly to the Board by issuing licensure/certification body. | All initial applicants with previous disciplinary history. |
| | Certified record of all documentation related to the denial, voluntary resignation or voluntary surrender of a license issued by a licensure/certification body. | All initial applicants denied a license by a licensure/certification body or who resigned or surrendered a license. |
| | Certified record of each criminal conviction sent directly to the Board by the court. Document must include conviction date, sentence imposed, verification of compliance with all court-ordered stipulations and verification of closure of criminal case with closure date. <i>(Initial applicant must arrange.)</i> | All initial applicants with previous criminal convictions. |
| | Written verification(s) of the applicant's completion of supervised or unsupervised probation and closure of the applicant's criminal case(s). Each verification must be written on official court letterhead, be addressed to the Board, include the date written and be originally signed by the court clerk or Probation Officer. | All initial applicants who have completed court-ordered probation. |
| | Certified discharge record(s) from drug and/or alcohol education or treatment program(s), or both. | All initial applicants who have completed drug and/or alcohol education and treatment programs, or both. |
| | Written verification from sponsor of the applicant's maintenance of sobriety and active participation in a Twelve-Step Program, including the frequency and duration of applicant's attendance. Verifications must be addressed to the Board and include the date written and the sponsor's original signature. (Sponsor may sign only his or her first name.) | All initial applicants currently enrolled in a Twelve-Step Program. |

Applicants are advised to submit documentation using U.S. Postal Service Registered Mail in order to receive a dated confirmation of receipt by the Board. The Board will not accept electronic copies of required documentation, including photocopies and materials submitted by fax or e-mail. Please retain a copy of all documentation submitted to the Board. Telephone confirmation of receipt is *not* available.

Mail to:
Board of Registration in Nursing
c/o GMC Administrative Assistant
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