

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF RESPIRATORY CARE**

Licensure Policy

Title	Staff Action Authority to Evaluate Individual License Applications Consistent with M.G.L. c. 112 §23S
Purpose	The Board of Respiratory Care (“Board”) adopted a policy on October 21, 2009 to determine the “Good Moral Character” of applicants and licensees as required by M.G.L. c. 112, § 23S (Policy RC-09-02). The Board adopts this policy to authorize Board staff to evaluate the Good Moral Character of a specific subset of applicants who meet the criteria set forth below.
Date Adopted	July 19, 2016, Amended March 21, 2017
Authorization to issue <u>initial</u> licensure	<p>The Executive Director (ED) and/or his or her designee may issue a license to an applicant provided that the applicant meets all requirements in 261 CMR 3.00 <i>et seq.</i> and the ED or designee determines that an individual with a history of criminal charges meets the following criteria:</p> <ol style="list-style-type: none">1. Applicant has one arrest, indictment, or conviction s/he discloses to the Board2. That occurred 5 years or more prior to submission of the license application¹3. That did not involve violence against another person4. That is fully resolved in the court system with no outstanding obligations, and5. If there is an adverse finding on one (1) charge of Operating Under the Influence of drugs or alcohol, and there is no other evidence of a substance use disorder
Report to Board	At the next scheduled Executive Session of the Board, Board staff shall submit a report to the Board listing all actions taken pursuant to this policy since the prior Executive Session.

¹ Consistent with C.O.R.I. requirements