



**NC DEPARTMENT OF
HEALTH AND
HUMAN SERVICES**
Division of Health Service Regulation

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director

NORTH CAROLINA OFFICE OF EMERGENCY MEDICAL SERVICES Criminal Record Check Requirements for Credentialing Effective October 1, 2019

As authorized by N.C.G.S. § 131E-159(g), any individual who applies for a North Carolina EMS credential, seeks to renew their North Carolina EMS credential or holds a North Carolina EMS credential is subject to a criminal background review by NCOEMS. Determination of eligibility for credentialing will entail education, residency/affiliation and criminal record check requirements as well as other factors.

When determining eligibility for a North Carolina EMS credential, NCOEMS and The North Carolina EMS Disciplinary Committee (The Committee) consider the applicant's criminal background. Pursuant to N.C.G.S. § 93B-8.1(b1), NCOEMS and The Committee evaluate the following factors:

1. The level and seriousness of the crime(s);
2. The date of the crime(s);
3. The age of the person at the time of the crime(s);
4. The circumstances surrounding the commission of the crime, if known;
5. The nexus between the criminal conduct and the prospective duties of the applicant as a licensee;
6. The prison, jail, probation, parole, rehabilitation, and employment records of the applicant since the date the crime was committed;
- 6a. The completion of, or active participation in, rehabilitative drug or alcohol treatment;
- 6b. A Certificate of Relief granted pursuant to N.C.G.S. § 15A – 173.2;
7. The subsequent commission of a crime by the applicant; and
8. Any affidavits or other written documents, including character references.

In accordance with N.C.G.S. § 150B, Article 3, an individual who has been denied a North Carolina credential may appeal the agency administrative by initiating an administrative proceeding with the Office of Administrative Hearings within thirty (30) calendar days of date of the original agency decision action, at which time the dispute becomes a contested case.

The applicant may also contest the decision by requesting a review by The Committee within the thirty (30) calendar days of the date of the original agency decision. The applicant may reapply for a review of their case once every six (6) months. The reapplication process includes a review of the applicant's criminal background information and, if applicable, the investigation summary.

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OFFICE OF EMERGENCY MEDICAL SERVICES**

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NORTH CAROLINA OFFICE OF EMERGENCY MEDICAL SERVICES Predetermination Process Effective October 1, 2019

In accordance with N.C.G.S. § 93B-8.1(b6), individuals with a criminal history may petition The North Carolina EMS Disciplinary Committee (The Committee) for a predetermination process prior to starting or completing any mandatory education and/or training requirements. A complete petition for review shall include the following:

1. A certified criminal history that is less than 30 days old, includes a search of all 50 states in The United States of America, includes a national sex offender search report and is from a reputable criminal record check reporting company as deemed acceptable by OEMS; and
2. A certified check or money order in the amount of \$45.00 made out to the Division of Health Service Regulation for the predetermination process fee.

A reputable criminal record check reporting company will be deemed acceptable if the company holds the National Association of Professional Background Screeners (NAPBS) accreditation. A list of NAPBS accredited companies can be found at thepbsa.org and searching their directory.

Some examples of NAPBS accredited companies are:

Castle Branch (888)723-4263 Castlebranch.com	IntelliCorp (888)946-8355 Intellicorp.net	Data Facts (901)685-7599 Datafacts.com
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OEMS does not recommend nor endorse any company listed above. Applicants may choose any NAPBS accredited company that provides a certified national criminal history search of all 50 states in The United States of America and also includes a national sex offender search report.

The costs of the certified criminal history and sex offender reports as well as predetermination process fee shall be borne by the individual seeking the predetermination review.

If an applicant receives a predetermination decision that states their criminal history would not hinder them from receiving a NC EMS credential, that decision **shall only be binding if:**

1. The individual applies for credentialing and fulfills all other requirements to hold a NC EMS credential;

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2. The criminal history submitted by the individual at the time of the predetermination hearing was correct and matches the fingerprint based criminal record check that will be performed by the Federal Bureau of Investigation (FBI) and the North Carolina State Bureau of Investigation (SBI) for OEMS once application for a NC EMS credential is made; and
3. The criminal history submitted by the individual at the time of the predetermination hearing remains unchanged and matches the fingerprint based criminal record check that will be performed by the FBI and the SBI for OEMS.

PLEASE NOTE: Applicants requesting to proceed with a predetermination process will be responsible for paying the following costs:

1. The price, as set by the private background check company, of the certified criminal history which includes a search of all 50 states in The United States of America and a national sex offender search report;
2. The \$45.00 predetermination fee; and
3. The \$38.00 State Bureau of Investigation (SBI)/Federal Bureau of Investigation (FBI) federal fingerprint check fee that will be required if the applicant applies for credentialing and fulfills all other requirements to hold a NC EMS credential.

OEMS will not reimburse an applicant for any of the above fees if they are ultimately denied a credential once the predetermination process and application process for a NC EMS credential has been completed. Entering in to the predetermination process is the decision of an applicant and as such, the applicant is responsible for all fees and requirements.