

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN NURSING**

Licensure Policy 17-01

Title	Board Delegation to Board Staff to Make Final Determination of Good Moral Character Compliance.
Purpose	To authorize Board staff to evaluate selected Massachusetts applications for initial nursing licensure and advanced practice authorization to determine such applicants' Good Moral Character (GMC) compliance in accordance with the Board's Licensure Policy 00-01: <i>Determination of Good Moral Character Compliance</i> (LP 00-01).
Date Adopted/ Reviewed	December 13, 2017 (adopted); February 13, 2019 (revised); August 11, 2021 (revised), November 10, 2021 (revised), November 8, 2023 (revised)
Definitions	<p><i>Adverse History</i> means any affirmative answer by the applicant, disclosing conduct described by the GMC related questions on the application, or any information received by the Board that indicates that the applicant should have disclosed.</p> <p><i>Application</i> means an application for initial nursing licensure and/or advanced practice authorization.</p> <p><i>Minor Injury</i> means injury sustained to a child caused by the applicant, that does not require emergency medical treatment and does not result in long term effects.</p> <p><i>Supported Findings</i> by the Massachusetts Department of Children and Families means an adverse finding that has been substantiated to include, but not limited to: physical, emotional, or sexual abuse, and/or physical or medical neglect of a child(ren) by the applicant.</p>
Selected Authorization to Find GMC Compliance	<p>The Board authorizes designated Board staff to review applications and to act on them as follows:</p> <ol style="list-style-type: none"> 1. Board staff shall review all applications where the applicant has disclosed an adverse history as defined above or was found to have a supported finding(s) of abuse, neglect, or both by the Massachusetts Department of Children and Families (DCF). 2. Where an applicant discloses adverse history of any type, or has a supported finding by DCF, Board staff shall review additional criminal history accessible to the Board as a government licensing

<p>Selected Authorization to Find GMC Compliance (continued)</p>	<p>agency, as well as all available information relating to any such adverse history or DCF supported finding.</p> <p>3. Board staff may evaluate and determine in accordance with the requirements set forth in LP 00-01, an applicant's GMC compliance were based on receipt of reliable substantiating documentation that an applicant's adverse history, or DCF supported finding(s), includes any of the following:</p> <ul style="list-style-type: none"> a. Adverse history of one (1) or more misdemeanor criminal conviction as defined by LP 00-01: <ul style="list-style-type: none"> i. which <i>does not involve</i> conduct related to abuse or violence, or a pattern of fraud or deceit; and ii. Arises out of the same incident(s); and iii. has been closed inclusive of all court ordered requirements for at least one (1) year immediately preceding the date of application. b. Adverse history of licensure or certification discipline that: <ul style="list-style-type: none"> i. is closed with no resulting restriction; and ii. <i>does not involve</i> misconduct related to abuse or violence, or a pattern of fraud or deceit. c. Supported finding(s) of neglect in which there is: <ul style="list-style-type: none"> i. No direct involvement with the identified child(ren) by applicant; or ii. Supported finding(s) of neglect based upon unsubstantiated allegations of abuse, without injury; or iii. Supported finding(s) against the applicant as a result of a supported finding against another caretaking adult, without any direct involvement by the applicant. iv. Supported finding(s) of neglect, with direct involvement with the child(ren), where the supported findings do not include violent or sexual conduct by the applicant or other caretakers, and the case(s) has been closed for at least one (1) year and is supported by substantiating documentation demonstrating successful remediation by the applicant. d. A single supported finding of physical abuse by the applicant, with no resulting criminal conviction, in which there is: <ul style="list-style-type: none"> i. Absence of injury, or Minor injury to the child(ren); ii. Closure of the case for five (5) years; and iii. Substantiating documentation demonstrating successful remediation by the applicant. e. An applicant who was previously reviewed by the Board and determined to be in compliance with the GMC licensure requirement where <u>no</u> subsequent adverse history has occurred.
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	<ol style="list-style-type: none"> 4. Upon evaluation of substantiating documentation indicating that the supported finding(s) was not against the identified applicant, Board staff may close the matter without Board review. 5. Board staff shall review and evaluate the applicant's underlying GMC conduct together with all additional required documentation for eligibility pursuant to LP 00-01. 6. If Board staff determines, in accordance with the criteria identified in paragraphs 3a, 3b, 3c, 3d, 3e, or 3f above, that the applicant satisfies the GMC requirements for licensure, Board staff is authorized to approve further processing of the application. 7. All other applications involving adverse history or supported finding(s) shall be determined by the full Board.
Board Review and Determination	Notwithstanding the delegated authority set forth above, any GMC evaluation which Board staff determines may have a finding of non-compliance will be presented for full Board review and determination.
Report to Board	Board staff shall submit on a quarterly basis, a report to the Board listing all staff actions on GMC compliance taken pursuant to this policy.