THE COUNCIL OF STATE GOVERNMENTS

RESOLUTION SUPPORTING CRIMINAL BACKGROUND CHECKS
FOR NURSES APPLYING FOR STATE LICENSURE

WHEREAS, nurses work with the sick, disabled, elderly and other vulnerable populations, and it is in the interest of public safety to review nurse licensure applicants' past criminal behavior in determining whether they should be granted a license to practice nursing in a state or territory;

WHEREAS, applicants for nurse licensure with criminal histories may not reveal a positive criminal history on applications, and fingerprint based background checks are an effective tool to identify past criminal behavior and ensure ongoing patient safety;

WHEREAS, of the nation's 55 boards of nursing (excluding U.S. territories), 40 boards conduct state and federal CBCs. Fifteen boards do not. This progress has been significant, but we need every state to conduct criminal background checks;

WHEREAS, boards of nursing assure the security and confidentiality of the background information and must comply with any state or federal requirements to obtain access to state criminal background checks, making this process fair to licensure applicants;

WHEREAS, Public Law 92-544 provides funding to the Federal Bureau of Investigations (FBI) for acquiring, collecting, classifying, preserving and exchanging identification records with duly authorized officials of the federal government, the states, boards of nursing, cities, and other
institutions;

BE IT NOW THEREFORE RESOLVED, that the Council of State Governments urges states to conduct fingerprint based criminal background checks on all nurse licensure applicants by enacting a relevant provision in the jurisdiction's Nurse Practice Act or relevant regulations;

BE IT FURTHER RESOLVED, that The Council of State Governments recommends that states work with their boards of nursing in developing plans to conduct nurse licensure comprehensive federal and state criminal background checks.

Adopted this 3rd Day of December, 2012, at CSG's 2012 National Conference in Austin, Texas.