

# National Registry

## Criminal Conviction Policy

### A. Background

The National Registry of Emergency Medical Technicians (NREMT) has adopted a Criminal Conviction Policy to safeguard the public from individuals who, in practice as an EMS professional, might pose a danger to the public.

EMS professionals, under the authority of their state licensure, have unsupervised, intimate, physical and emotional contact with patients at a time of maximum physical and emotional vulnerability, as well as unsupervised access to a patient's personal property. These patients may be unable to defend or protect themselves, voice objections to particular actions, or provide accurate accounts of events at a later time. EMS professionals, therefore, are placed in a position of the highest public trust.

The public in need of out-of-hospital medical services relies on state licensure and national certification to assure that those EMS professionals who respond to their calls for aid qualify for this extraordinary trust. For these reasons, the NREMT has adopted the following Criminal Conviction Policy to ensure that individuals, who have been convicted of certain crimes, are identified and appropriately evaluated as to whether they would pose a risk to public safety as an EMS provider.

### A. Policy

The NREMT may deny an applicant eligibility to sit for a certification examination, deny certification, suspend or revoke an individual's certification, or take other appropriate action with respect to the applicant's certification or recertification based on that applicant's criminal conviction. This policy applies to, and requires an applicant's disclosure of, all felony convictions and all other criminal convictions (whether felony or misdemeanor) relating to crimes involving physical assault, use of a dangerous weapon, sexual abuse or assault, abuse of children, the elderly or infirm and crimes against property, including robbery, burglary and felony theft. The policy does not apply to convictions for misdemeanor (other than the above-listed types of crimes), traffic violations (except DUI or reckless homicide/manslaughter), theft or unlawful possession of a controlled substance.

1. All applicants for certification or recertification must disclose on their applications any criminal conviction covered by this policy.
2. This policy applies to an applicant's plea of nolo contendere, a guilty plea, or plea agreement, as well as a conviction after trial.

3. Applicants are not required to disclose any criminal conviction that has been expunged from the public record or a deferred adjudication that did not result in the entry of a conviction judgment.
4. Failure to disclose a covered criminal conviction or the withholding of any material information regarding such conviction shall be an independent basis for denial of eligibility to sit for a certification examination, revocation of a certification or denial of an application for recertification.
5. NREMT shall post on its website an applicant's disclosure of any criminal conviction and advise licensing authorities of the availability of this information.
6. NREMT may deny an applicant eligibility to sit for the certification examination, or take other appropriate action, if the applicable state licensing authority, in any state in which the applicant holds or seeks a license as an EMS professional, denies the applicant's eligibility to obtain, or suspends or revokes, a license, based on the criminal conviction.
7. Notwithstanding the absence of any adverse action taken by an applicable state licensing authority on the basis of an applicant's criminal conviction, NREMT may deny an applicant eligibility to sit for a certification examination or recertification if, in the NREMT's sole discretion, based on the following considerations, the NREMT determines that certification may jeopardize public health and safety:
  - a. The seriousness of the crime.
  - b. Whether the crime relates to performance of the duties of an EMS professional.
  - c. How much time has elapsed since the crime was committed.
  - d. Whether the crime involved violence to, or abuse of, another person.
  - e. Whether the crime involved a minor or a person of diminished capacity.
  - f. Whether the applicant's actions and conduct since the crime occurred are consistent with the holding of a position of public trust.
  - g. Whether the applicant is a repeat offender.
  - h. Whether the applicant has complied with all court orders and probationary requirements associated with the conviction.

Any applicant or registrant subject to an adverse decision by the NREMT under this Policy may appeal that decision as outlined in the NREMT Certification Eligibility, Discipline and Appeals Policy.