

Application Process if you have a “YES” answer

WHAT IS A “YES” ANSWER?

When a person submits an application for **initial** licensure or certification, or for **renewal, reinstatement, relicensure/recertification** or **reactivation**, he/she is required to disclose information that may potentially become an obstacle to issuance of a license or certificate. When submitting any application for licensure as a nurse (APRN, RN, LPN) or certification as a nursing assistant (CNA), the applicant is required to answer questions related to the following (which appear in the respective applications):

1. Whether the applicant has had disciplinary action taken (or an investigation is pending) by a licensing authority (such as another state board of nursing or other licensing regulatory agency);
2. Whether the applicant has had a denial of licensure or certification by a licensing authority (such as another state board of nursing or ANY other licensing regulatory agency);
3. Whether the applicant has been the subject of investigations or charges (pending or completed) related to abuse, neglect or misappropriation of property;
4. Whether the applicant has had a history of physical or mental disability which may make applicant unable to practice nursing or perform duties with reasonable skill and safety;
5. Whether the applicant has had a history of abusing or being addicted to any controlled substance, a regular user of any controlled substance with or without a prescription, or habitually intemperate in the use of intoxicating liquor (pattern of making poor decisions related to alcohol or drug use or abuse);
6. Whether the applicant has been terminated, fired or permitted to resign in lieu of termination from a nursing or other health care position because of use of alcohol or any controlled substance, habit-forming drug, prescription medication, or drugs having similar effects;
7. Whether the applicant has been arrested for an alcohol or drug-related offense; and/or
8. Whether the applicant has been convicted, has pled guilty or nolo contendere to, or has had charges pending for any crime including felonies, misdemeanors, municipal ordinances, and/or any Uniform Code of Military Justice violations, including driving under the influence of any intoxicating substance. Note: *the applicant does not need to report* non-moving traffic violations (for example, a ticket for not wearing a seat belt or having a tail light out) **or** moving violations (for example, a speeding ticket) which did not involve alcohol or substance abuse.

YOU MUST ANSWER ALL QUESTIONS TRUTHFULLY.

Failure to provide truthful information may provide grounds for denial of licensure or certification. [See, Administrative Rules and Regulations, Chapter 3(a)(i)(A) [for RNs/LPNs], Section 4(a)(i)(A) [for APRNs] & Chapter 7, Section 10(b)(i)(A) [for CNAs]]. In addition, if a license or certificate has been issued, failure to provide truthful information may be a basis for disciplinary action (Also see Disciplinary Process under “Discipline” tab on WSBN website).

IT IS IMPORTANT THAT YOU REVIEW THE WSBN RULES TO MAKE SURE THAT YOU DO NOT HAVE OTHER REQUIREMENTS!

Initial Licensure/Certification

By Examination [Administrative Rules and Regulations, Chapter 2, Sections 2 and 4 for APRNs/RNs/LPNs; Chapter 2, Sections 3 and 5 for CNAs]

By Endorsement [Administrative Rules and Regulations, Chapter 2, Section 6 for APRNs/RNs/LPNs; Chapter 2, Section 7 for CNAs]

Renewal [Administrative Rules and Regulations, Chapter 2, Section 10 for APRNs/RNs/LPNs; Chapter 2, Section 11 for CNAs]

Relicensure/Recertification [Administrative Rules and Regulations, Chapter 2, Section 15]

Reactivation [Administrative Rules and Regulations, Chapter 2, Section 14]

Reinstatement [Administrative Rules and Regulations, Chapter 2, Section 16]

NOTE: The Application Review Committee (ARC) will review your file if you are submitting an application for **initial** licensure, **renewal**, **relicensure/recertification** or **reactivation**. An application for **reinstatement** that relates a prior Board order that restricted practice of a nurse/nursing assistant, such as for revocation or voluntary surrender, suspension, restriction, or for a conditional license/certificate, will be referred to a Disciplinary Committee (DC).

The ARC and a DC consists of 1 to 2 Board members assigned responsibility for review and investigation of an application or disciplinary matter in which disclosures or investigation has revealed grounds or circumstances for possible denial of a license or certificate, or in discipline matters, possible disciplinary action.

WHAT HAPPENS WITH A "YES" ANSWER?

If you answer "YES" to any of the above questions you must submit the following:

1. A **Personal Statement**. A letter or e-mail containing a description of the incident and its effect in your own words;
2. **Documents** that provide information of what took place. For example, criminal documents from the court, orders or correspondence from the licensing authority (i.e., other state board of nursing) or evaluations that have been done (substance abuse evaluations, anger evaluations, etc.)

PERSONAL STATEMENT

Describe the Incident in Your Own Words. If your answer is "YES" to any of the questions indicated above, you must provide a [Personal Statement](#)  which includes a *full description of the incident in your own words*. Other suggestions include the following:

Discipline or Other Action by Licensing Board (Questions 1 & 2). Your personal statement should include the following:

1. Month and year of the incident(s) related to action by the licensing authority;
2. Full description of the incident(s), including what state(s) or which licensing authority took action;
3. Action taken against you by the licensing authority;
4. What you learned;
5. Changes in your activities, behavior and decision-making as a result of action by the licensing authority; and
6. How you can assure the ARC or DC that you will not repeat conduct at issue;

Abuse, Neglect, Misappropriation (Question 3). Your personal statement should include the following:

1. Month and year of the incident involving allegations of abuse, neglect or misappropriation;
2. Full description of the incident;
3. Action (legal or otherwise) taken against you, if substantiated;
4. What you learned;
5. Changes in your activities, behavior and decision-making as a result of action; and
6. If substantiated, how you can assure the ARC or DC that you will not repeat conduct at issue;

Mental or Physical Disability or Substance Abuse (Questions 4 & 5). Your personal statement should include the following:

1. Month and year of the onset or diagnosis of the condition or disability;
2. Full description of the condition or disability;
3. Treatment and outcome of treatment (i.e. seizure disorder, mental health, substance abuse, etc.) or aftercare plan from hospitalizations or residential treatment (if applicable); and
4. Coping strategies or other support that ensure your ability to practice nursing or perform duties with reasonable skill and safety.

Termination of Employment (Question 6). Your personal statement should include the following:

1. Month and year of the termination or offer to resign in lieu of termination;
2. Full description of the circumstances leading to termination or offer to resign in lieu of termination;
3. What you learned;
4. Changes in your activities, behavior and decision-making as a result; and
5. How you can assure the ARC or DC that the conduct at issue presents no concerns of reoccurrence or issues related to safe practice.

Criminal Convictions (Questions 7 & 8). Your personal statement should include the following:

1. Month and year of the incident(s) related to arrest and/or conviction;
2. Full description of the incident(s) related to arrest and/or conviction;
3. Legal/court action taken against you;
4. Treatment and outcome of treatment if applicable or ordered by the court or recommended related to evaluation ordered by the court (i.e. mental health, substance abuse, etc.);
5. What you learned;
6. Changes in your activities, behavior and decision-making as a result of your criminal past; and
7. How you can assure the ARC or DC that you will not repeat conduct at issue related to arrest and/or conviction.

NOTE: The applicant is solely responsible for composing the personal statement and providing all required documents. WSBN staff may not provide advice or counsel on the documents that the ARC or DC requires.

DOCUMENTATION

Documents related to Action by other Licensing Authority

If your answer is "YES" to questions related to Discipline or Other Action by Licensing Board (Questions 1 & 2), you must provide a copy of all documents you have received from the licensing authority. You may be asked to provide an authorization for WSBN staff to obtain necessary supporting documentation. The following documents are required:

1. Correspondence or notices you have received
2. Investigative documents;
3. Final order or settlement agreement/consent decree;
4. Proof of compliance with the orders:

Documents related Criminal Conviction (or pending criminal action)

If your answer is "YES" to any of the criminal history questions (Questions 7 & 8), you must provide a copy of all court documents from the arrest to the final disposition of your case. The following court documents are required:

1. Charging document; sometimes called the Information;
2. Judgment and Sentencing;
3. Proof of compliance with the court orders:
 - i. Court fines were paid;
 - ii. Probation completed without problems;
 - iii. Classes attended; and
 - iv. Evaluations completed and subsequent action on that evaluation.

All court documents are required even if the charge(s) was/were pled down to a lesser charge, deferred, dismissed, etc.

Documents related to Mental or Physical Condition, Substance Abuse or Disability

If your answer is "YES" to any of the mental or physical disability history questions (Questions 4 & 5), the following documents are required:

1. Written report, summary, or medical note from appropriate profession regarding diagnostic impressions and recommendations (such as psychiatric evaluation or substance abuse evaluation/assessment);
2. Progress report from counselor or other mental health professional/psychiatrist/physician; and
3. Discharge summary/aftercare plan from hospitalizations or residential treatment (IF you were hospitalized or in residential treatment at any time).

NOTE: If you do not possess the documents requested by WSBN staff, you must execute an authorization that will permit WSBN staff to obtain them.

REQUESTS FOR INFORMATION OR DOCUMENTATION YOU DO NOT POSSESS WILL SLOW THE APPLICATION PROCESS BY THE ARC OR DC.

CRIMINAL BACKGROUND CHECK

When you submit your **initial** application, you are required to submit fingerprint cards for a criminal background check. If you disclose that you have been arrested or convicted in your application for renewal, relicensure/recertification, reactivation or reinstatement, you may be required to submit fingerprint cards for an updated criminal background report. Fingerprints/Background Check reveal:

- a. All charges in all states regardless of your age at time of offense (most important with initial application); and
- b. Any charges, including dismissals and convictions (even charges you were told or otherwise understood were dismissed or expunged).

It is very important to understand that:

1. Wyoming Law does not have a time limit on disclosures of past convictions; and
2. Every application is reviewed on an individual basis.

WHAT HAPPENS WHEN THE APPLICATION IS COMPLETE?

WSBN licensing staff members perform an investigation and assemble all the materials/information related to an initial application for licensure or certification, as well as applications for renewal, relicensure/recertification reactivation or reinstatement.

Not all "Yes" answers will result in denial of a license or certificate. However, investigation of a "Yes" answer is necessary to confirm whether the incident or occurrence presents fitness to practice or public safety issues. The Application Decision Matrix permits licensing staff to issue a license under certain circumstances. See: [Application Review matrix](#) 

Otherwise, the application and investigative materials will be sent to the ARC for further consideration and proposed action, such as a denial or conditional grant of licensure/certification. [Administrative Rules and Regulations, Chapter 8, Section 8(c)]. In reinstatements involving prior Board disciplinary action, the application and investigative materials will be sent to the DC for consideration and proposed action, such as action related to reinstatement as well as whether further restrictions or conditions should be placed on continued licensure/certification.

Members of the ARC (or DC with reinstatement applications) review all materials, ask for more information if needed and decide based on the following:

- Passage of time - how recent was the crime(s), action by the licensing authority, or other incident at issue (initial applications primarily)
- Frequency – whether there have been repeated offenses or arrests, including habitual crimes;
- Type of offense - Felony versus misdemeanor (although the nature of the crime is the primary consideration);
- Compliance with the court orders (probation, payment of fines, attendance at anger management or driving classes, evaluations, etc.);
- Results of evaluations (substance abuse evaluations, anger evaluations, etc.), whether court ordered or voluntarily done;
- History of treatment, progress and current status, if applicable, including noncompliance or relapses;
- How the crime relates to nursing/nursing assistant practice and public safety (for example, a history or substance abuse may be considered presenting safety risks to you and patients; or a history of domestic violence may be considered a risk for harming a vulnerable patient); and
- Probation status, if applicable.