

eNLC Licensing Tier

Matrix

Approved 5/11/17 Revised 8/7/17 **Revised 1/10/18**

Violations not listed below will be discussed initially with the Executive Director. If there is a question, the application will be forwarded to the ARC for review and consideration. When an applicant has five (5) or more misdemeanor violations the Executive Director will review for Tier determination. All time frames are intended as guidelines. At any time, however, a particular application may be assigned to an appropriate ARC consisting of one or more Board members if some presenting aspects might not be viewed as appropriate for the matrix to apply or the Executive Director or delegated Board staff determined the matter should be reviewed by

Tier I - Tier I guidelines represent those violations which pose minimal harm to others and have historically resulted in an Application Review Committee (ARC) decision of full and unconditional license/certification. The purpose of these guidelines is to apply evidence-based decision making to: 1) allow staff to issue a license or certificate; 2) promote consistency; and 3) preserve board member time for review of complex cases. All required documentation must be received from the applicant prior to licensing. This includes court documents, evidence of terms and conditions having been met, substance abuse evaluations, statements from providers, medical records, etc.

Tier II - Tier II guidelines represent those violations or collection of violations which pose minimal harm to others and have historically resulted in an Application Review Committee (ARC) decision of a written Notice of Warning (NOW). The purpose of these guidelines is to apply evidence decision making to: 1) allow staff to issues a license or a certificate with a NOW based on the matrix below; 2) promote consistency; and 3) preserve board member time for the review of complex cases. All of the required documentation must be received from the applicant prior to licensing. This includes court documents, evidence of the term and conditions of convictions having been met, i.e. probation completed, fines paid, required classes or remediation has occurred, etc.

Tier III - Applications shall be forwarded to D&C/ARC for a decision.

Category	Basis for Denial	TIER I	TIER II	TIER III	eNLC
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DISCIPLINARY ACTION	YES ANSWER TO QUESTION 1				
	Board discipline order other than revocation, is greater than 5 years, and applicant has been practicing nursing since without further discipline action	Green	Yellow X	Red	Yellow
	Board discipline order other than revocation, is less than 5 years old, and applicant has been practicing nursing since without further discipline action.	Green	Yellow	Red X	Yellow
	Active discipline on license	Green	Yellow	Red	Red
LICENSE/CERTIFICATE DENIED	YES ANSWER TO QUESTION 2				
	Regardless of time frame	Green	Yellow	Red X	Yellow
LICENSE/CERTIFICATE REVOKED OR SUSPENDED	YES ANSWER TO QUESTION 3				
	Regardless of time frame	Green	Yellow	Red X	Yellow
LICENSE/CERTIFICATE VOLUNTARILY SURRENDERED OR RELINQUISHED	YES ANSWER TO QUESTION 4				
	Regardless of time frame	Green	Yellow	Red X	Yellow
ABUSE OR NEGLECT	YES ANSWER TO QUESTION 5				
	All convictions whether misdemeanor or felony or substantiated findings of patient abuse (or elder or child abuse)	Green	Yellow	Red X	Yellow
	If the case was unsubstantiated or dismissed	Green X	Yellow	Red	Green
PHYSICAL/MENTAL CONDITION	YES ANSWER TO QUESTION 6				

	Diagnosed or treated within the last 5 years with a current Physician letter stating condition is stable and will not impair the ability to perform nursing services or duties. (Upon board approval - issue without a NOW)	Green	Yellow	Red	Yellow
	Diagnosed or treated greater than 5 years with a current Physician letter stating condition is stable and will not impair the ability to perform nursing services or duties	Green	Yellow	Red	Green
	Diagnosed or treated, regardless of time, with a current Physician letter stating condition is unstable and may impair the ability to perform nursing services or duties	Green	Yellow	Red	Yellow
DRUG DEPENDENCY OR SUBSTANCE USE DISORDER	YES ANSWER TO QUESTION 7				
	Abused, excessively used, or received treatment for use of prescription medication, alcohol, or any other controlled or illicit substance, or tested positive for a controlled substance without a valid prescription within the last 5 years	Green	Yellow	Red	Yellow
PRIOR TERMINATION OF NURSING EMPLOYMENT	YES ANSWER TO QUESTION 8				
	Terminated or permitted to resign in lieu of termination due to use of alcohol or use of any controlled substance, habit-forming drug, prescription	Green	Yellow	Red	Yellow
CRIMINAL CONVICTIONS	YES ANSWER TO QUESTION 9				
DUI	Driving under the Influence/Driving while Intoxicated - Greater than 5 years ago	Green	Yellow	Red	Yellow
	Driving under the Influence/Driving while intoxicated - Within the last 5 years	Green	Yellow	Red	Yellow
MIP	Minor in Possession - Greater than 5 years ago	Green	Yellow	Red	Green
	Minor in Possession/Minor under the Influence - Within the last 5 years	Green	Yellow	Red	Green
Petty Theft	Petty Theft - Greater than 5 years ago	Green	Yellow	Red	Yellow
	Petty Theft - Within the last 5 years	Green	Yellow	Red	Yellow
Petty Larceny	Petty Larceny - Greater than 5 years ago	Green	Yellow	Red	Yellow
	Petty Larceny - Within the last 5 years	Green	Yellow	Red	Yellow
Fraud	Fraud/Writing bad checks - Greater than 5 years ago	Green	Yellow	Red	Green

	Fraud/Writing bad checks - Within the last 5 years		X		
Domestic Violence	Domestic Violence - Greater than 5 years ago	X			
	Domestic Violence - Within the last 5 years		X		
	Domestic Violence - More than 2 offenses less than 5 years - requires psychological eval & consultation with ED & DC			X	
Battery	Battery - Greater than 5 years ago	X			
	Battery - Within the last 5 years		X		
Assault	Assault/Fighting - Greater than 5 years ago	X			
	Assault/Fighting - Within the last 5 years		X		
	Simple Assault - Greater than 5 years ago	X			
	Simple Assault - Within the last 5 years		X		
Disorderly Conduct	Disorderly Conduct - Greater than 5 years ago	X			
	Disorderly Conduct - Within the last 5 years		X		
Interference with Police Officer	Interference with Police Officer - Greater than 5 years ago	X			
	Interference with Police Officer - Within last 5 years		X		
Shoplifting	Shoplifting - Greater than 5 years ago	X			
	Shoplifting - Within the last 5 years		X		
Harassment	Harassment - Greater than 5 years ago	X			
	Harassment - Within the last 5 years		X		
Trespassing	Trespassing - Greater than 5 years ago	X			
	Trespassing - Within the last 5 years		X		
Felony	Felony Conviction or Pleas regardless of underlying cause - Greater than 10 years ago		X		
	Felony Conviction or Pleas regardless of underlying cause - Within the last 10 years			X	

Marijuana	Possession of Marijuana, less than 3 oz/Possession of other drugs/paraphernalia - Greater than 5 years ago	X			
	Possession of Marijuana, less than 3 oz/Possession of other drugs/Paraphernalia - Within the last 5 years		X		
Miscellaneous	Traffic Violations, moving (No bodily injury) - ever	X			

Reckless driving/careless driving	X			
Minor offenses, i.e. dog at large - ever	X			
Convicted of sex related crimes - ever			X	
Any conviction involving "serious bodily injury" - ever			X	
Charges have been dismissed and/or expunged (with documented proof)	X			
Selling alcohol/tobacco to a minor - Within the last 5 years		X		
Selling alcohol/tobacco to a minor - Greater than 5 years	X			
Fraudulent information provided at time of application (i.e. intentional misrepresentation of current licenses, etc.)			X	
Currently on probation			X	
Failure to Disclose (FTD) - ever		X		