

Criminal History and Discipline Information

Individuals who are considering entering the nursing profession and who may have a criminal history often ask about potential barriers to licensure following successful completion of an approved nursing program. While it would be nice to know this prior to making a decision to enter the program, obtaining that information is not possible under current Florida law.

The Board of Nursing makes decisions about licensure based upon a number of questions on the application and on an individual basis. The application (or the background screening) that indicates a criminal history is considered a non-routine application and must be reviewed by the board staff and possibly referred to the Board of Nursing for action.

Each application is reviewed on its own merits. The Board of Nursing has created guidelines for specific offenses to be cleared in the board office; however, the staff cannot make determinations in advance as laws and rules do change over time. Violent crimes and repeat offenders are required to be presented to the Board of Nursing for review. Evidence of rehabilitation is important to the Board Members when making licensure decisions.

There are no permanent barriers to licensure; each circumstance is reviewed on a case by case basis. Section 456.0635, FS, was enacted through the legislative process in 2009. This statute requires the Board to deny applications that meet the criteria of this statute. You can find more information on this statute on our website by clicking on the Health Care Legislation button.

The Board may issue a license under conditions such as probation, supervision, or additional education, or the Board may deny your application. If drugs or alcohol are a concern, the board may require the applicant to undergo an evaluation and to sign a contract with the Intervention Project for Nurses (800-840-2720).

Each nursing program makes independent decisions about admissions into the program and may require a criminal background screening as part of that process. Clinical facilities may limit or prohibit students with criminal histories from participating in clinical experiences. Other options may not exist for the student to complete required clinical hours in order to obtain a nursing degree; thus, such a student may not be eligible for licensure in Florida.

The licensure application requires disclosure of any criminal history and the disposition of all cases prior to board review. Entry into the nursing education program is the prospective student's decision based upon the knowledge that he/she may, or may not, be granted a nursing license. All of the above factors should be taken into consideration prior to making a decision about a nursing career.

For additional information review the Frequently Asked Questions at http://www.doh.state.fl.us/mqa/nursing/nur_faq.html#Discipline.