

OKLAHOMA BOARD OF NURSING  
2915 N. Classen Boulevard, Suite 524  
Oklahoma City, OK 73106  
(405) 962-1800

NCLEX or AUA Certification Candidates  
With History of Arrest/Deferred Sentence/Conviction Policy

- I. Regulatory Services staff may approve the application of an NCLEX or AUA certification candidate with a misdemeanor offense in the following cases:
- A. First instance of a misdemeanor including but not limited to bogus checks, larceny of merchandise, or violation of a state or federal narcotics or controlled dangerous substance law; and
  - B. The misdemeanor offense was not plea bargained from an initial felony charge; and
  - C. The candidate has no other criminal charge(s), judgment, or sentencing pending.

Regulatory Services staff may, at their discretion, request further review by the Investigative Division of any Application.

- II. All other Applications of NCLEX Applicants or AUA certification candidates with arrest(s), history of disciplinary action, and/or judicial declaration of mental incompetence, will be reviewed by the Investigative Division and prosecuting attorney for a decision regarding approval. The Investigative Division Staff may approve the Application of an NCLEX or AUA certification candidate in the following cases:
- A. The criminal charge resulting in deferred sentence or conviction was not for a felony or misdemeanor involving physical harm to another; and
  - B. The conviction did not result in a sentence of incarceration that was served; and
  - C. The deferred sentence or conviction is older than ten (10) years and the Applicant has successfully completed the terms of the sentence and has had no other subsequent criminal offenses or unbecoming conduct.

If the deferred sentence or conviction is more than five (5) years old and involved alcohol related incidents, the Applicant may be asked to submit to an Evaluation from an approved provider that meets the criteria established by the Board. Upon receipt of the Evaluation, if there are no recommendations for treatment or monitoring, the applicant will be approved without disciplinary action. If the Evaluation has recommendations for treatment or monitoring, the Applicant will be offered a Stipulated Order based upon the Evaluator and/or IDP or Board recommendations.

- III. All other Applications of candidates with arrests, misdemeanors, felonies, history of disciplinary action, or judicial declaration or mental incompetence, not falling within the parameters of Sections I and II above, must come before the IDP or Board for decision.
- IV. **Regulatory Authority:** 59 O.S. §567.8