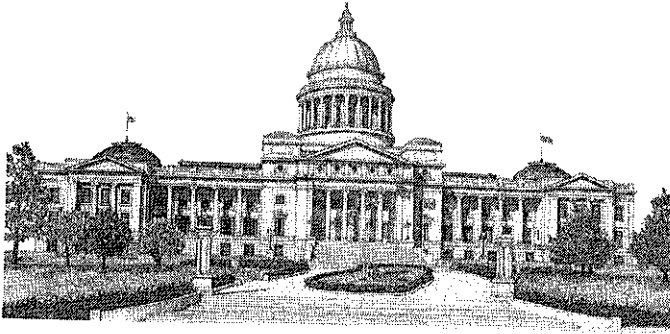


ARKANSAS REGISTER



Proposed Rule Cover Sheet

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Name of Department Arkansas Departement of Health
Agency or Division Name Health Related Boards and Commissions
Other Subdivision or Department, If Applicable Arkansas State Board of Chiropractic Examiners
Previous Agency Name, If Applicable _____
Contact Person Laurie Mayhan
Contact E-mail asbce@arkansas.gov
Contact Phone 501-682-9015

Name of Rule Pre-Licensure Criminal Background check waiver request
Newspaper Name Arkansas Democrat Gazette
Date of Publishing February 9, 2020
Final Date for Public Comment March 9, 2020
Location and Time of Public Meeting _____

029.00.2-A

7. Pre-Licensure Criminal Background Check Waiver Request

- A. If an individual has been convicted of an offense listed in A.C.A. § 17-2-102(a), except those permanently disqualifying offenses found in subsection (e), the Board may waive disqualification of a potential applicant or revocation of a license based on the conviction if a request for a waiver is made by:
 - 1. An affected applicant for a license; or
 - 2. An individual holding a license subject to revocation.
- B. The Board may grant a waiver upon consideration of the following, without limitation:
 - 1. The age at which the offense was committed;
 - 2. The circumstances surrounding the offense;
 - 3. The length of time since the offense was committed;
 - 4. Subsequent work history since the offense was committed;
 - 5. Employment references since the offense was committed;
 - 6. Character references since the offense was committed;
 - 7. Relevance of the offense to the occupational license; and
 - 8. Other evidence demonstrating that licensure of the applicant does not pose a threat to the health or safety of the public.
- C. A request for a waiver, if made by an applicant, must be in writing and accompany the completed application and fees.
- D. The Board will respond with a decision in writing and will state the reasons for the decision.
- E. An appeal of a determination under this section will be subject to the Administrative Procedures Act §25-15-201 *et seq.*