



A Criminal History Records Check through the Department of Public Safety and Correctional Services - Criminal Justice Information Systems - Central Repository is required under the social work statute. An excerpt from the Board's statute is below and section (e) (2) outlines what the Board should consider when reviewing the reports. All reviews are conducted on a case by case basis.

### **Article - Health Occupations Title 19. Social Workers. Subtitle 3. Licensing.**

#### **§19-302.2. Criminal history records checks.**

- (a) In this section, "Central Repository" means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.
- (b) As part of an application to the Central Repository for a State and national criminal history records check, an applicant shall submit to the Central Repository:
- (1) A complete set of legible fingerprints taken on forms approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;
  - (2) The fee authorized under § 10–221(b)(7) of the Criminal Procedure Article for access to State criminal history records; and
  - (3) The processing fee required by the Federal Bureau of Investigation for a national criminal history records check.
- (c) In accordance with §§ 10–201 through 10–228 of the Criminal Procedure Article, the Central Repository shall forward to the Board and to the applicant the criminal history record information of the applicant.
- (d) If an applicant has made two or more unsuccessful attempts at securing legible fingerprints, the Board may accept an alternate method of criminal history records check as permitted by the Director of the Central Repository and the Director of the Federal Bureau of Investigation.
- (e) (1) Information obtained from the Central Repository under this section:
- (i) Is confidential and may not be disseminated; and
  - (ii) May be used only for the licensing purpose authorized by this title.
- (2) In using information obtained from the Central Repository under this section to determine whether to issue a license, the Board shall consider:
- (i) The age at which the crime was committed;
  - (ii) The circumstances surrounding the crime;
  - (iii) The length of time that has passed since the crime was committed;
  - (iv) Subsequent work history;
  - (v) Employment and character references; and
  - (vi) Other evidence that demonstrates whether the applicant poses a threat to the public health or safety.
- (f) The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided in § 10–223 of the Criminal Procedure Article.

**If an applicant wishes to contest the results, the applicant must submit a written explanation, to the Board, within 6 months of the date of the report and provide legal documentation which refutes the results.**

### **VETERANS FULL EMPLOYMENT ACT 2013 – EFFECTIVE JULY 1, 2013**

Under this ACT the Board shall issue an expedited temporary license to a service member, veteran or military spouse. A temporary license issued under this section shall be valid for 6 months.

**"Service member"** means an individual who is an active duty member of the Armed Forces of the United States; a reserve component of the Armed Forces of the United States; or the National Guard in any State.

**"Veteran"** means a former service member who was discharged from active duty, under circumstances other than dishonorable, within 1 year before the date on which the application for a license is submitted. A veteran **DOES NOT** include an individual who has completed active duty and has been discharged for more than 1 year before the application for a license is submitted.

**"Military Spouse"** means the spouse of a service member or veteran and includes a surviving spouse of a veteran or a service member who died within 1 year before the date on which the application for a license is submitted.