



Authority to Run Criminal Background Checks
Board-by-Board Overview

SMB	State has authority to access applicant's criminal background history as a condition of licensure:	Board has access to NCIC (FBI Database):	Does board require fingerprints:	Citation
AL	Yes	Yes	Yes	Ala. Code § 34-24-70(a)(5)
AK	No			Self-reporting required*
AZ-M	No			Self-reporting required
AZ-O	No			Self-reporting required
AR	Yes	Yes	Yes	Ark. Code Ann. § 17-95-306
CA-M	Yes	Yes	Yes	Ca. Bus. & Prof. Code Sec. 2082(e) and 144
CA-O	Yes	Yes	Yes	Ca. Bus. & Prof. Code Sec. 2082(e) and 144
CO	Yes	Yes	Unspecified	Application asks for criminal conduct disclosures and provides that the Board conducts audits of its licensing database against several criminal and national disciplinary databases.
CT	No			
DE	Yes	Yes	Yes	Del. Code Ann. tit. 24, § 1720(6)
DC	Yes	Yes	No	D.C. Code § 3-1205.22
FL-M	Yes	Yes	Yes	Fla. Stat. § 455.213(1), (10), (11); 458.311(1)(g)
FL-O	Yes	Yes	Yes	Fla. Stat. § 459.008(1); (also See FL-M)
GA	Not all applicants			Only have authority to conduct criminal background checks on applicants that notify the Board of some type of criminal behavior.
GU	Yes		No	Guam Stat. tit. 10, § 12205
HI	No			Self-reporting required
ID	Yes	Yes	Yes	Idaho Code § 54-1810(1)
IL	Yes	Yes	Yes	225 Ill. Comp. Stat. 60/97.7 2012 HB 3352 – Provides that the Department of State Police shall charge an applicant a fee for conducting the criminal history records check with the fee to be deposited into the State Police

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				Services Fund.
IN	Yes	Yes	Yes	Applicants for initial licensure or certificate for certain license types with a postmark of July 1, 2011 or after shall submit to a national criminal history background check at the cost of the individual.
IA	Yes	Yes	Yes	IA ADC 653-8.4
KS	Yes	No	No	Kan. Stat. Ann. § 65-28,129
KY	Yes	Yes	Yes	Ky. Rev. Stat. Ann. § 311.565(1)(s), (t)
LA	Yes	Yes	Yes	La. Stat. Ann. § 37:1277
ME-M	Yes		No	32 M.R.S.A. § 3269.
ME-O	Not all applicants			Board website specifies that applicants may be subject to a background check to verify professional competence, ethics and character.
MD	No			Self-reporting required
MA	Yes	No	No	243 Ma. Adc. 2.01
MI-M	Yes	Yes	Yes	Mich. Stat. Ann. § 333.16174
MI-O	Yes	Yes	Yes	Mich. Stat. Ann. § 333.16174
MN	No			Self-reporting required
MS	Yes	Yes	Yes	Miss. Code Ann. § 73-25-3
MO	No			Self-reporting required
MT	No			Self-reporting required
NE	Yes	Yes	Yes	Neb. Rev. Stat. § 38-131
NV-M	Yes	Yes	Yes	Nev. Rev. Stat. §§ 630.167, 630.342
NV-O	Yes	Yes	Yes	Nev. Rev. Stat. § 633.309
NH	Yes	Yes	Yes	N.H. Rev. Stat. Ann. § 329:11-a
NJ	Yes	Yes	No	N.J. Stat. Ann. §§ 45:1-28 through 45:1-32
NM-M	Yes	Yes	Yes	N.M. Stat. Ann. § 61-6-11(G)
NM-O	Yes	Yes	No	N.M. Stat. Ann. § 61-10-2; (also See NM-M)
NY	No			Self-reporting required
NC	Yes	Yes	No	N.C. Gen. Stat. § 90-11; N.C. Admin. Code tit. 21, r. 32B.0104
ND	Yes	Yes	Yes	N.D. Cent. Code § 43-17-07.1(4)
OH	Yes	Yes	Yes	Ohio Rev. Code Ann. § 4731.081
OK-M	Yes	Yes	Yes	Okla. Admin. Code § 510:10-3-2(a)
OK-O	Yes	Yes	Yes	Okla. Admin. Code § 510:10-3-2(a)
OR	Yes	Yes	Yes	Or. Rev. Stat. Ann. § 677.265(9)
PA-M	No			Self-reporting required
PA-O	No			Self-reporting required

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PR	No			Self-reporting required
RI	No		No	Self-reporting required
SC	Yes	Yes	Yes	S.C. Code Ann. § 40-47-36
SD	Yes	Yes	Yes	SB 24 signed into law 2/14/2012
TN-M	Yes	Yes	Yes	Tenn. Code Ann. § 63-1-116
TN-O	Yes	Yes	Yes	See TN-M
TX	Yes	Yes	Yes	Tex. Occupations Code § 155.008
UT-M	Yes			U.A.C. R156-1
UT-O	Yes			U.A.C. R156-1
VT-M	No			Self-reporting required
VT-O	No			Self-reporting required
VA	Yes	Yes	Thumbprint Only	Va. Code Ann. § 54.1-204(C)
VI	No			Self-reporting required
WA-M	Yes	Yes	Yes	Wash. Rev. Code § 18.130.064
WA-O	Yes	Yes	Yes	Wash. Rev. Code § 18.130.064
WV-M	No			Self-reporting required
WV-O	No			Self-reporting required
WI	Yes			WI ADC s Med 1.06
WY	Yes	Yes	Yes	W.S. 33-26-202(b)(xvi) and W.S. 7-19-106(a)

* Self-reporting required indicates that the application for licensure requires the applicant to disclose criminal convictions.

Note: This document is not intended as an exhaustive or comprehensive statement of the law on this topic, nor to be relied upon as authoritative. Non-cited laws, regulation, or policy could impact analysis on a case-by-case or state-by-state basis, and all information should be verified independently.