

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1623

5 By: Representative T. Thompson
6

For An Act To Be Entitled

8 AN ACT TO STREAMLINE THE PROCESS FOR CRIMINAL HISTORY
9 CHECKS FOR EMERGENCY MEDICAL TECHNICIANS; AND FOR
10 OTHER PURPOSES.
11

Subtitle

12 AN ACT TO STREAMLINE THE PROCESS FOR
13 CRIMINAL HISTORY CHECKS FOR EMERGENCY
14 MEDICAL TECHNICIANS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code §§ 20-13-1102 – 20-13-1105 are amended to
22 read as follows:

23 20-13-1102. Mandatory criminal ~~records~~ history checks for emergency
24 medical ~~technicians services personnel~~.

25 (a)(1) Any applicant applying for initial licensure shall complete a
26 criminal history check form and shall request the Identification Bureau of
27 the Department of Arkansas State Police to conduct a state or national
28 criminal history check, or both, on the applicant.

29 (2) The applicant shall pay all appropriate fees for the state
30 or national criminal history check, or both, as set forth by the bureau.

31 (3) The applicant shall attach the criminal history check form
32 to the Arkansas emergency medical services personnel licensure application.

33 ~~(4) The Division of EMS and Trauma Systems of the Department of~~
34 ~~Health shall forward the history check form and the appropriate fees to the~~
35 ~~bureau.~~

36 ~~(b) The bureau shall conduct a state or national criminal history~~



1 ~~check, or both, on the applicant, and upon completion of the criminal history~~
 2 ~~check, the bureau shall issue a report to the division.~~

3 ~~(e)(b) The ~~division~~ Division of EMS and Trauma Systems of the~~
 4 ~~Department of Health shall conduct a state or national criminal history~~
 5 ~~check, or both, on the applicant and determine whether the applicant is~~
 6 ~~disqualified from certification based on the report of the applicant's~~
 7 ~~criminal history and forward its determination to the applicant directly.~~

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 9 ~~20-13-1103. Application — Fee — Determination of disqualification.~~

10 ~~(a)(1) Any applicant applying for licensure who holds current Arkansas~~
 11 ~~emergency medical services personnel licensure before July 1, 1999, shall~~
 12 ~~complete a criminal history check form no later than his or her current~~
 13 ~~expiration date or July 1, 2001, whichever comes first, and shall request the~~
 14 ~~Identification Bureau of the Department of Arkansas State Police to conduct a~~
 15 ~~state or national criminal history check, or both, on the applicant.~~

16 ~~(2) The applicant shall pay all appropriate fees for the state~~
 17 ~~or national criminal history check, or both, as set forth by the bureau.~~

18 ~~(3) The applicant shall attach the criminal history check form~~
 19 ~~to the Arkansas emergency medical services personnel licensure application.~~

20 ~~(4) The Division of EMS and Trauma Systems of the Department of~~
 21 ~~Health shall forward the criminal history check form and the appropriate fees~~
 22 ~~to the bureau.~~

23 ~~(b) The bureau shall conduct a state or national criminal history~~
 24 ~~check, or both, on the applicant, and upon completion of the criminal history~~
 25 ~~check, the bureau shall issue a report to the division.~~

26 ~~(c) The division shall determine whether the applicant is disqualified~~
 27 ~~from certification based on the report of the applicant's criminal history~~
 28 ~~and forward its determination to the applicant directly.~~

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 30 ~~20-13-1104. Form — State and national ~~records~~ criminal history check.~~

31 ~~(a) A request for a state or national criminal history ~~records~~ check,~~
 32 ~~or both, on a person shall include a completed form ~~provided by the Division~~~~
 33 ~~~~of EMS and Trauma Systems of the Department of Health~~ and as required by the~~
 34 ~~Identification Bureau of the Department of Arkansas State Police.~~

35 ~~(b) Applicants for initial licensure or relicensure shall complete a~~
 36 ~~criminal history check form as provided by the State of Arkansas for the past~~

1 ~~five (5) years or has been licensed continuously for the past five (5) years~~
 2 ~~as an Arkansas emergency medical services personnel~~ If an applicant is
 3 requesting initial Arkansas emergency medical services personnel licensure
 4 and can provide proof of continuous residency in the State of Arkansas for
 5 the past five (5) years, then the applicant shall be required to have only a
 6 state criminal history check completed.

7 (c) If an applicant is requesting initial Arkansas emergency medical
 8 services personnel licensure and is from another state or if the applicant
 9 cannot provide proof of continuous residency in the State of Arkansas for the
 10 past five (5) years, the applicant shall be required to have both a state and
 11 a national criminal history check completed.

12 ~~(d)(1) The division shall process all applications that have the~~
 13 ~~criminal history checks form attached to the Arkansas emergency medical~~
 14 ~~services personnel application but reserves the right to suspend or revoke~~
 15 ~~the applicant's licensure or relicensure if the applicant is found in the~~
 16 ~~bureau's index.~~

17 ~~(2) Any currently certified Arkansas emergency medical services~~
 18 ~~personnel who has before March 17, 1999, submitted criminal background~~
 19 ~~information specific to offenses listed by the applicant on the Arkansas~~
 20 ~~emergency medical services personnel certification application to the~~
 21 ~~division and has been allowed to become certified based upon the information~~
 22 ~~provided by the applicant, that certification shall not be suspended during~~
 23 ~~the request for waiver.~~

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 25 20-13-1105. Response - File copies.

26 ~~(a) After receipt of a request for a criminal history check, the~~
 27 ~~Identification Bureau of the Department of Arkansas State Police shall make~~
 28 ~~reasonable efforts to respond to requests for state or national criminal~~
 29 ~~history checks, or both, within twenty (20) calendar days.~~

30 ~~(b) The Division of EMS and Trauma Systems of the Division of Health~~
 31 ~~of the Department of Health and Human Services~~ Department of Health shall
 32 maintain on file for a period of three (3) years, subject to inspection by
 33 the Arkansas Crime Information Center or the ~~bureau~~ Identification Bureau of
 34 the Department of Arkansas State Police, a copy of each criminal ~~records~~
 35 history check completed by all applicants requesting state certification ~~or~~
 36 ~~recertification.~~

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SECTION 2. Arkansas Code § 20-9-1109 is amended to read as follows:
20-13-1109. Report and index – Forms – Database.

~~(a) The Identification Bureau of the Department of Arkansas State Police shall furnish a report to the Division of EMS and Trauma Systems of the Division of Health of the Department of Health and Human Services upon completion of each criminal history check.~~

~~(b)~~(a) The bureau Identification Bureau of the Department of Arkansas State Police shall maintain an index of the results of each applicant's criminal history check.

~~(c)~~(b) The ~~division~~ Division of EMS and Trauma Systems of the Department of Health shall develop forms ~~which~~ that are approved by the bureau to be used for criminal history checks conducted under this subchapter.

~~(d)~~(c) The division shall develop and maintain a database of determinations regarding applicants.

SECTION 3. Arkansas Code § 20-13-1112 is amended to read as follows:
20-13-1112. Forms – Regulations.

The Arkansas Crime Information Center, the Identification Bureau of the Department of Arkansas State Police, and the Division of EMS and Trauma Systems of the ~~Division of Health of the Department of Health and Human Services~~ Department of Health shall cooperate to prepare forms and promulgate consistent regulations as necessary to implement this subchapter.

APPROVED: 03/23/2011