



COMMONWEALTH OF MASSACHUSETTS  
Executive Office of Health and Human Services  
Department of Public Health  
Division of Health Professions Licensure  
**BOARD OF REGISTRATION IN NURSING**  
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[www.mass.gov/dph/boards/rn](http://www.mass.gov/dph/boards/rn)

## **Licensure Policy 00-01<sup>1</sup> Determination of Good Moral Character Compliance Questions and Answers Information Sheet**

### I. What is Good Moral Character?

Good Moral Character (GMC) is defined for practical purposes as the ability to practice nursing in a safe and competent manner and without risk to the public health, safety or welfare. Because it is not scientifically determinable, the Massachusetts Board of Registration in Nursing (Board) uses evidence of past and present conduct as described below to assess GMC. Licensed nurses are required by law and regulation to be of Good Moral Character.<sup>2</sup>

### II. When does the Board Review a person's Good Moral Character?<sup>3</sup>

Because GMC is a *prerequisite* for licensure and for advanced practice authorization, GMC is reviewed by the Board:

- a. During initial application by examination and by reciprocity.
- b. During application for authorization to practice as an Advanced Practice Nurse (also known as Nurse Practicing in the Expanded Role) (APRN).
- c. When it is raised as an issue in a complaint or potential complaint against a nurse's license and/or against his/her APRN authorization.

GMC evaluation for purpose of initial licensure and/or authorization will occur only after all criminal and disciplinary matters involving the applicant or licensee are closed.<sup>4</sup>

### III. How does the Board assess Good Moral Character?

1. GMC must be demonstrated by an applicant or nurse through reliable evidence of good conduct;
2. Examples of such conduct include:
  - a. honesty;
  - b. trustworthiness;
  - c. integrity;
  - d. accountability;
  - e. reliability;
  - f. distinguishing between right and wrong;
  - g. avoidance of aggression to self and others;
  - h. taking responsibility for one's own actions and other similar attributes found relevant by the Board.
3. The absence of GMC may be demonstrated through reliable evidence of poor or bad or illegal conduct;
4. Such conduct includes:
  - a. hostile or destructive conduct to another or to self;
  - b. conduct that demonstrates disregard for the welfare, safety or rights of another;
  - c. conduct that demonstrates disregard for honesty, integrity or trustworthiness.

Examples of conduct showing the absence of GMC include the conduct underlying certain criminal convictions and disciplinary actions taken by a licensure/certification body in another jurisdiction.<sup>5</sup>

The burden of demonstrating GMC is always on the applicant or licensee or person seeking APRN authorization.<sup>6</sup>

IV. Can a person be permanently excluded from licensure? In what circumstances?

Yes, conduct underlying certain felony convictions will result in mandatory permanent exclusion from the practice of nursing in Massachusetts.<sup>7</sup>

Examples of such conduct are:

- 1) the conduct underlying the crimes listed on Attachment A of Licensure Policy 00-01;
- 2) the conduct underlying any other violent crime against any person(s) that involves extreme disregard of human life;
- 3) trafficking in, or illegally manufacturing, any controlled substance; and
- 4) exploitation or criminal mistreatment of a vulnerable individual.<sup>8</sup>

V. Can a person be temporarily excluded from licensure? In what circumstances?

Yes, there will be a Five Year (also referred to as Temporary) Exclusion in certain circumstances.

When the applicant has engaged in any of the following conduct within the five (5) year period immediately before the date of an application s/he shall be temporarily excluded from the practice of nursing in Massachusetts (unless s/he meets the exception in section VI, below)<sup>9</sup>:

- 1) conduct for which there is a criminal conviction that does not result in permanent exclusion;
- 2) knowingly falsifying or attempting to falsify, any documentation or information submitted on an application for examination or licensure or for APRN authorization, that is related to the qualifications for such examination or licensure, or authorization; or
- 3) cheating on the National Council Licensure Examination (NCLEX), or on any other licensure or certification examination.

VI. Are there Certain Cases Where Temporary Exclusion Does Not Apply?

Yes, an applicant with a criminal conviction who would otherwise be temporarily excluded may be found to be of Good Moral Character, but only in the following circumstances:

- 1) the applicant makes a written request for a determination of his/her GMC compliance presents substantiating documentation satisfactory to the Board; *and*
- 2) the applicant:
  - a) during the five (5) years immediately preceding the date of the application, has only one criminal conviction for a single misdemeanor or multiple criminal convictions for misdemeanor offenses that are all based on the same one (1) incident or episode;
  - b) was not sentenced to any period of incarceration,<sup>10</sup> unless the sentence imposed was suspended or stayed for a period of time in connection with a first time operating under the influence type offense only for which no time was served; *and*
  - c) successfully completed all court-ordered requirements, if any, including probation; *and*
- 3) the applicant's criminal conduct, if outside Massachusetts, would be a misdemeanor if it occurred in Massachusetts; *and*
- 4) the applicant's criminal conduct was victimless and nonviolent; *and*
- 5) the applicant has no open criminal case(s) against him or her.

If the Board finds that an applicant meets all of the requirements immediately above, then GMC compliance will be determined by the Board using the case by case evaluation process (see section VII, below).

### VII. What is the Case by Case GMC Evaluation Process?

If an applicant is not permanently or temporarily excluded from licensure or authorization under this Policy, the Board will evaluate any conduct demonstrating an absence of the attributes of GMC to determine whether the conduct:

- 1) poses a threat to the public health, safety or welfare;
- 2) is of significance to the provision of safe and competent nursing care; and
- 3) is characteristic of the applicant's conduct.<sup>11</sup>

### VIII. How Long Does GMC Evaluation Take?

The amount of time that is needed for the Board to determine an initial applicant's compliance with the GMC requirement varies. However, an initial applicant should expect that the process will take at least eight (8) weeks.

### IX. What Happens if there is a Determination of Non-Compliance with GMC?

Any applicant for licensure or APRN authorization, who is not in compliance with the GMC requirement, will be notified accordingly – see XI, (below).

An applicant for licensure by reciprocity, who is not in compliance with the GMC requirement, will not be eligible for licensure and a complaint will be opened and then closed for the purposes of reporting as required and authorized by law and tracking by the Board.

A licensed nurse applicant for APRN authorization, who is not in compliance with the GMC requirement, will not be eligible for such authorization. In addition, the Board will open a complaint against any license or authorization of the applicant granted by the Board based on noncompliance with the GMC requirement. The individual will be reported as required and authorized by the Board.

### X. What Happens if I Withdraw my Application for Licensure by Reciprocity or APRN Authorization?

Should an applicant for licensure by reciprocity or APRN authorization withdraw such application, a complaint will be opened and then closed for the purposes of reporting as required and authorized by law and tracking by the Board.

### XI. Will I be Notified if I am found to be Noncompliant with GMC Requirement?

#### Do I have a Right to Review of the Decision?

The Board will notify any ineligible applicant of its decision to deny licensure or APRN authorization, the reason(s) for the denial, and the opportunity for review of the denial. The Board may also inform the applicant of the requirements, if any, that the applicant must satisfy before the applicant may reapply. The Board shall afford the applicant an opportunity for a hearing where the applicant alleges, and can reasonably substantiate, the existence of specific areas of factual dispute relevant to the determination of his or her Good Moral Character ineligibility under this Policy.

If there are no areas of factual dispute, the Board may rely on written submissions in rendering a final decision on review. Judicial review of a Board final decision to deny licensure or authorization may be sought as provided by G.L. c. 30A, §14.

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#### Endnotes

<sup>1</sup>Date Adopted/Revised: September 8, 1999; effective January 1, 2000; revised January 9, 2002; clarified April 4, 2002, May 22, 2002, November 6, 2002; revised February 14, 2007; September 9, 2009; October 13, 2010.

<sup>2</sup>As required by Massachusetts General Laws (G.L.) Chapter 112, sections 74 (RN licensure by examination), 74A (LPN licensure by examination), 76 (licensure by reciprocity), 80B (Advanced

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Practice authorization) and the Board's regulations at 244 CMR 4.00, 8.02(1)(a), 8.03(1)(a), 8.04(1)(a), 8.04(2)(a), 8.04(3)(a), and 9.03.

<sup>3</sup>Application of Then-Current Policy: The Board will evaluate each application for initial nurse licensure and for APRN authorization under the policy governing the determination of GMC in effect on the date the Board receives the application.

<sup>4</sup>An application for GMC compliance will not be evaluated if the applicant has any conviction(s) or disciplinary action(s) until the applicant documents that:

- 1) s/he has met all court-ordered requirements and that all criminal matters involving the applicant have been closed for at least one (1) year; and
- 2) all requirements imposed by a licensure/certification body in connection with disciplinary action (including probation) are completed.

<sup>5</sup> "Conviction" Defined: For the purpose of this Policy, "conviction" means the final judgment on a verdict or finding of guilty, a plea of guilty, a plea of *nolo contendere* (no contest), or a plea treated by the court as a guilty plea, regardless of the jurisdiction in which the conviction was entered.

<sup>6</sup>The individual must meet this burden by providing the Board with reliable documentation of all available pertinent information as to the applicant's present and past conduct, disciplinary history, and criminal history.

<sup>7</sup>Or within five (5) years of a written request for a determination of GMC compliance.

<sup>8</sup>Including a minor, elder, or disabled individual.

<sup>9</sup>Timing of the Period of *Temporary* Exclusion: The period of temporary exclusion shall be for:

- 1) at least five (5) years from the date of the most recent conviction or the date the conduct at issue last occurred (whichever is later), and
- 2) at least one (1) year from the date of the applicant's successful completion of all court-ordered requirements.

<sup>10</sup>Even if the period of incarceration was suspended or stayed, the applicant who was sentenced to incarceration is not eligible for this exception.

<sup>11</sup>In doing so, the Board will evaluate factors including: 1) the nature and seriousness of all conduct at issue, including any criminal conviction(s) or disciplinary action(s) by a licensure/certification body; 2) the sufficiency of the applicant's sustained rehabilitation; 3) the applicant's age at the time the conduct at issue occurred; 4) the frequency of occurrence of the conduct at issue; 5) how recent the conduct was; 6) any mitigating or aggravating circumstances related to the conduct; and 7) the applicant's acknowledgment of her or his accountability for her or his conduct and recognition of its significance to nursing licensure and/or APRN authorization.

COMMONWEALTH OF MASSACHUSETTS  
BOARD OF REGISTRATION IN NURSING

**Licensure Policy 00-01<sup>1</sup>**

<b>Title</b>	<b>Determination of Good Moral Character Compliance</b>
<b>Purpose</b>	This policy is used by the Board to review the “Good Moral Character” (GMC) of applicants for initial nurse licensure and applicants for authorization as Advanced Practice Registered Nurses (APRN). This Policy is also used by the Board as a guide to determine the GMC of nurses and APRNS already licensed and/or authorized by the Board.
<b>Date Adopted/Revised</b>	September 8, 1999; effective January 1, 2000; revised January 9, 2002; clarified April 4, 2002, May 22, 2002, November 6, 2002; revised February 14, 2007; September 9, 2009; October 13, 2010, April 13, 2011 (revised), June 12, 2013 (revised)
<b>Application of Policy</b>	The Board will evaluate each application for initial nurse licensure by examination and by reciprocity, and for APRN authorization under the policy governing the determination of GMC in effect on the date the Board receives the application.
<b>Definitions</b>	
<b>Attributes of GMC</b>	<ol style="list-style-type: none"> <li>1. GMC must be demonstrated by reliable evidence of good conduct;</li> <li>2. Examples of such conduct include: <ol style="list-style-type: none"> <li>a. honesty;</li> <li>b. trustworthiness;</li> <li>c. integrity;</li> <li>d. accountability;</li> <li>e. reliability;</li> <li>f. distinguishing between right and wrong;</li> <li>g. avoidance of aggression to self and others;</li> <li>h. taking responsibility for one’s own actions and similar attributes found relevant by the Board.</li> </ol> </li> </ol>
<b>Conduct Showing the Absence of GMC</b>	The <b>absence</b> of the attributes of GMC is most often demonstrated by certain conduct. Such conduct includes hostile or destructive conduct to another or to self and conduct that demonstrates a disregard for the welfare, safety or rights of another or disregard for honesty, integrity or trustworthiness. Examples of such conduct include the conduct underlying certain criminal convictions and disciplinary actions taken by a licensure/certification body in another jurisdiction.
<b>Conviction</b>	For the purpose of this Policy, “conviction” means the final judgment on a verdict or finding of guilty, a plea of guilty, a plea of <i>nolo contendere</i> (no contest), or a plea treated by the court as a guilty plea, regardless of the jurisdiction in which the conviction was entered.

<b>Rules</b>	
<b>GMC is a Prerequisite for Initial Licensure by Exam, Licensure by Reciprocity, and for Initial APRN Authorization</b>	An applicant must be “of good moral character” for the Board to find the individual to be safe and competent to practice nursing. The GMC standard is created by statute and it assists the Board in determining whether an individual’s character poses a risk to the public health, safety or welfare and/or to the likely provision by the individual of safe, competent nursing care.
<b>Criminal Cases and Disciplinary Actions must be closed prior to GMC Evaluation</b>	An application for GMC compliance will not be evaluated if the applicant has any conviction(s) or disciplinary action(s) until the applicant documents that: 1) s/he has met all court-ordered requirements and that all criminal matters involving the applicant have been closed for at least one (1) year; and 2) all requirements imposed by a licensure/certification body in connection with disciplinary action (including probation) are completed.
<b>The burden of demonstrating GMC is on the applicant</b>	The applicant must meet this burden by submitting to the Board reliable documentation of all available pertinent information as to the applicant’s present and past conduct, disciplinary history, and criminal history.
<b>There are Permanent and Temporary Exclusions from Licensure and Authorization based upon GMC Determination</b>	<p><b><u>Permanent Exclusion</u></b> Conduct underlying certain felony convictions will result in mandatory permanent exclusion from the practice of nursing in Massachusetts. <u>Examples of such conduct are:</u></p> <ol style="list-style-type: none"> <li>1) conduct underlying the crimes listed on Attachment A and any other violent crime against any person(s) that involves extreme disregard of human life;</li> <li>2) trafficking in, or illegally manufacturing, any controlled substance; and</li> <li>3) exploitation or criminal mistreatment of a vulnerable individual including, a minor, elder and/or disabled person.</li> </ol> <p><b><u>Temporary (Five Year) Exclusion</u></b> When the applicant has engaged in any of the following conduct within the five (5) year period immediately before the date of an application s/he shall be temporarily excluded from the practice of nursing in Massachusetts (unless s/he meets the requirements in the “Exception to Temporary Exclusion” section below):</p> <ol style="list-style-type: none"> <li>1) conduct for which there is a criminal conviction that does not result in permanent exclusion;</li> <li>2) knowingly falsifying or attempting to falsify, any documentation or information submitted on an application for examination or licensure or for APRN authorization, that is related to the qualifications for such examination or licensure, or authorization; or</li> <li>3) cheating on the National Council Licensure Examination (NCLEX), or on any other licensure or certification examination.</li> </ol>

	<p><b><u>Timing of the Period of Temporary Exclusion</u></b>  Temporary exclusion shall be for:</p> <ol style="list-style-type: none"> <li>1) at least five (5) years from the date of the most recent conviction or the date the conduct at issue last occurred (whichever is later), <b>and</b></li> <li>2) at least one (1) year from the date of the applicant’s successful completion of all court-ordered requirements.</li> </ol>
<p><b>There are Certain Cases When the Required Temporary Exclusion Will Not Apply (Exception to Temporary Exclusion)</b></p>	<p><b><u>Exception to Temporary Exclusion</u></b>  An applicant who falls under the Temporary Exclusion section of this Policy due to his or her criminal conviction may still ask the Board to evaluate his/her compliance with the GMC requirement, but <u>only</u> in the following circumstances:</p> <ol style="list-style-type: none"> <li>1) the applicant makes a written request (with substantiating documentation satisfactory to the Board) for a determination of his/her compliance with the GMC requirement; and</li> <li>2) the applicant: <ol style="list-style-type: none"> <li>a) during the five (5) years immediately preceding the date of the application, has only one criminal conviction for a single misdemeanor offense or multiple criminal convictions for misdemeanor offenses that are all based on the same one (1) incident or episode;</li> <li>b) was not sentenced to any period of incarceration (whether served, suspended, or stayed), <i>unless, in connection with a <u>first time operating while under the influence or comparable offense</u>: the incarceration, suspended, or stayed sentence was required by the convicting jurisdiction’s mandatory sentencing guidelines, <u>and</u> that sentence was the least required by law (Note: this must be substantiated by the applicant and provided to the Board as required documentation);</i></li> <li>c) successfully completed all related court-ordered requirements, if any, including probation;</li> </ol> </li> <li>3) the applicant’s criminal conduct, if it occurred outside Massachusetts, would constitute a misdemeanor in Massachusetts;</li> <li>4) the applicant’s criminal conduct was victimless and nonviolent; and</li> <li>5) the applicant has no open criminal case(s) against him or her.</li> </ol> <p>An applicant who the Board finds meets all of these requirements will have his/her GMC compliance determined by the Board using the case by case evaluation process, below.</p>
<p><b>Case by Case GMC Compliance Evaluation</b></p>	<p><b><u>Case by Case GMC Evaluation</u></b>  If an applicant is <b>not</b> permanently or temporarily excluded from licensure or authorization under this Policy, the Board will evaluate any conduct demonstrating an absence of the attributes of GMC to determine whether the conduct:</p> <ol style="list-style-type: none"> <li>1) poses a risk or threat to the public health, safety or welfare;</li> <li>2) is of significance to the provision of safe and competent nursing care; and</li> <li>3) is characteristic of the applicant’s conduct.</li> </ol>

	<p><u>In doing so, the Board will evaluate factors including:</u></p> <ol style="list-style-type: none"> <li>1) the nature and seriousness of all conduct at issue, including any criminal conviction(s) or disciplinary action(s) by a licensure/certification body;</li> <li>2) the sufficiency of the applicant's sustained rehabilitation;</li> <li>3) the applicant's age at the time the conduct at issue occurred;</li> <li>4) the frequency of occurrence of the conduct at issue;</li> <li>5) how recent the conduct was;</li> <li>6) any mitigating or aggravating circumstances related to the conduct; and</li> <li>7) the applicant's acknowledgment of her or his accountability for her or his conduct and recognition of its significance to nursing licensure and/or APRN authorization.</li> </ol>
<p><b>Ineligibility Based on Determination of Non-Compliance; Denial of Application for Initial Massachusetts Nurse Licensure by Exam, by Reciprocity, or Advanced Practice Authorization</b></p>	<p>An applicant who is not in compliance with the GMC requirement will be denied licensure and APRN authorization and a complaint will be opened and then closed for purposes of reporting as required and authorized by law, and of tracking by the Board.</p> <p><b><u>Complaint Opened Against RN License of APRN Applicant</u></b>  An applicant for APRN authorization by the Board, who is not in compliance with the GMC requirement, will not be eligible for such authorization. In addition, the Board will open a complaint against any license or authorization of the applicant granted by the Board based on noncompliance with the GMC requirement.</p> <p><b><u>Notice and Review of Denial Based on Noncompliance with GMC Requirement</u></b>  The Board will notify any ineligible applicant of its decision to deny licensure or APRN authorization, the reason(s) for the denial, and the opportunity for review of the denial. The Board may also inform the applicant of the requirements, if any, that the applicant must satisfy before the applicant may reapply. The Board shall afford the applicant an opportunity for a hearing where the applicant alleges, and can reasonably substantiate, the existence of specific areas of factual dispute relevant to the determination of his or her Good Moral Character ineligibility under this Policy.</p> <p>If there are no areas of factual dispute, the Board may rely on written submissions in rendering a final decision on review. Judicial review of a Board final decision to deny licensure or authorization may be sought as provided by G.L. c. 30A, § 14.</p>
<p><b>Timing of GMC Review</b></p>	<p>The amount of time that is needed for the Board to determine an initial applicant's compliance with the GMC requirement varies. However, an initial applicant should expect that the process will take at least eight (8) weeks.</p>

<sup>1</sup> Enabling Authority: Massachusetts General Laws (G.L.) Chapter 112, sections 74 (RN licensure by examination), 74A (LPN licensure by examination), 76 (licensure by reciprocity), 80B (Advanced Practice authorization) and the Board's regulations at 244 CMR 4.00, 8.02(1) (a), 8.03(1) (a), 8.04(1) (a), 8.04(2) (a), 8.04(3) (a), and 9.03.



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## ATTACHMENT A

### **Criminal Convictions Excluding Individuals from Initial Licensure as a Registered Nurse or Practical Nurse by Examination or Endorsement, and from Advanced Practice Authorization by the Board**

The felony convictions that will result in the mandatory *permanent* ineligibility for initial Massachusetts licensure as a Registered Nurse or Licensed Practical Nurse and for advanced practice authorization by the Board include, but are not limited to, convictions (as defined by Licensure Policy 00-01) for any of the following criminal offenses by any court in the Commonwealth of Massachusetts, or convictions for any similar criminal offenses by a court in another state or by a federal court:

CONVICTION	DEFINITION
Murder	First degree murder is the killing of a human being committed with deliberately premeditated malice aforethought (intentionally), or with extreme cruelty. All other murder, arising from reckless or negligent conduct, is second degree murder.
Rape	Sexual intercourse by a person with another person who is compelled to submit against their will by force or threat of bodily injury or sexual intercourse with a child under sixteen years of age.
Aggravated sexual assault	The unwanted touching of the genitals, mouth or anus of one person by the genitals of another person as the result of violence, force or the threat of force.
Assault with intent to rape	The use of force or the threat of force with intent to commit rape.
Armed assault with intent to murder with felony intent	Assaulting another with intent to commit murder or maim or disfigure that person.
Armed assault with intent to rob	While being armed with a dangerous weapon assaulting another and robbing, stealing or taking money or personal property from that person.
Burglary, armed assault on occupant	Breaking and entering a dwelling in the nighttime, to commit a felony, armed with a dangerous weapon at the time of such breaking, with any other person being lawfully therein.
Kidnapping	Without lawful authority, forcibly or secretly confining or imprisoning another person within this commonwealth against his will or forcibly carrying a person from the commonwealth against their will or secretly confining or imprisoning a person.

CONVICTION	DEFINITION
Breaking and entering, day/night, intent to commit felony, fear	Entering or breaking and entering, in the day time, a building, ship, vessel or vehicle with intent to commit a felony and placing any person lawfully therein in fear.
Burning a building	Willfully and maliciously setting fire to, burning or causing to be burned a building other than a dwelling.
Burning dwelling house (attempt)	Willfully and maliciously setting fire to, burning or causing to be burned a dwelling house or a building adjacent to a dwelling house.
Indecent assault and battery, child under 14	Any unwanted touching of the breast or genitals either directly or indirectly, enhanced penalty if the victim is fourteen years of age.
Indecent assault and battery, child 14 or over	Any unwanted touching of the breast or genitals either directly or indirectly, enhanced penalty if the victim is fourteen years of age.
Unnatural acts with child under 16	Committing any unnatural and lascivious act with another person, enhanced penalty if the other person is under sixteen years of age.
Assault and battery dangerous intimidation, race, color, religion	Committing an assault or a battery upon a person or damaging the real or personal property of a person with the intent to intimidate such person because of such person's race, color, or religion; an enhanced penalty is imposed if serious bodily injury occurs.
Administering drugs to obtain sex	Administering to or Causing to be taken by a person any drug, matter or thing with intent to stupefy or overpower such person so as to thereby enable any person to have unlawful sexual intercourse.
Induce sex, minor	Inducing any person under eighteen of chaste life to have unlawful sexual intercourse.

Department of Public Health  
Division of Health Professions Licensure  
Board of Registration in Nursing

What is the Board of Registration in Nursing?

The Board of Registration in Nursing is a regulatory agency of state government. Its purpose is to lead in the protection of the health, safety and welfare of the citizens of Massachusetts through fair and consistent application of the statutes and regulations governing nursing practice and education.

Becoming a Licensed Nurse

In order to become licensed as a nurse in Massachusetts, you need to:

- Provide proof satisfactory to the Board of compliance with the *Good Moral Character* requirement as stated in Massachusetts law;
- Graduate from a Board-approved nursing education program;
- Pay all required fees; and
- Pass the National Council Licensure Exam (NCLEX®) exam.

Good Moral Character

The purpose of this program is to assist individuals that are considering in a career in nursing with understanding what the *Good Moral Character* requirement for licensure means.

Trust

- The citizens of Massachusetts and the United States have a great deal of trust in nurses.
- In *USA Today*/Gallup's poll rating on the honesty and ethical standards of various professions, nurses have received top marks as the most trusted profession in the US since 1999, ranking #1 at 84% in the most recent poll (2008).

Integrity

The Massachusetts Board of Registration in Nursing has determined that it is in the best interest of the public to ensure the applicant meets the *Good Moral Character* requirement prior to initial nursing licensure.

Legal Requirement

Massachusetts General Law chapter 112, sections 74, 74A, and 76 specifies all applicants for initial nursing licensure in Massachusetts must demonstrate compliance with the *Good Moral Character* requirement.

Application Process

The Board of Registration in Nursing requires all nursing license applicants to answer six (6) questions related to criminal convictions and/or disciplinary actions by a licensure or certification body.

Definition of Criminal Conviction

- A verdict or finding of guilty.
- A plea of guilty.
- A plea of nolo contendere (no contest).
- Any other plea treated by the court as a guilty plea regardless of the jurisdiction in which the conviction was entered.

Criminal Offender Record Information

The applicant may be required to complete a Criminal Offender Record Information (CORI) form, which is a criminal background check, based on the responses to the six (6) *Good Moral Character* (GMC) questions on the licensure application.

[www.mass.gov/dph/boards/rn](http://www.mass.gov/dph/boards/rn) Click on "Licensing", then "Good Moral Character Licensure", then "Good Moral Character Information Sheet"

### What are the 6 GMC Questions?

1. Has any disciplinary action ever been taken against you by a professional and/or trade licensing/certification board located in the United States or any country/foreign jurisdiction, including removal from a long-term care nurse aide registry program?
2. Are you the subject of pending disciplinary action by a professional and/or trade licensing/certification board located in the United States or any country/foreign jurisdiction?
3. Have you ever applied for, and been denied, a professional and/or trade license/certification in the United States or any other country/foreign jurisdiction?
4. Have you ever surrendered or resigned a professional and/or trade license/certificate in the United States or any other country/foreign jurisdiction?
5. Have you ever been convicted of a felony or misdemeanor in the United States or any other country/foreign jurisdiction?
6. Are you the subject of any pending or open criminal case(s) or investigation(s), (including for any felony or misdemeanor) in a jurisdiction in the United States or any country/foreign jurisdiction?

### All Criminal Cases and Disciplinary Actions Must be Closed

- The applicant provides documentation satisfactory to the Board that:
  - all court-ordered requirements and that all criminal matters involving the applicant have been closed; and
  - All requirements imposed by a licensure/certification body in connection with the disciplinary action involving the applicant have been met.

### Truthfulness on the Application

- It is extremely important to answer truthfully to all questions on the application for licensure and the CORI form.
- Failure to be truthful will result in exclusion from licensure for five (5) years.

### Criminal Convictions

Conviction for certain crimes will result in mandatory permanent exclusion from becoming licensed as a nurse in Massachusetts. In general, conduct underlying any violent crime against any person(s) that exhibits intentional or deliberate disregard of human life is considered grounds for exclusion from licensure. In addition, if you have been convicted of a crime within the last 5 years (excluding those that result in permanent exclusion), you may be subject to mandatory *temporary* exclusion from licensure.

### Nursing Board's Website

A complete list of specific crimes requiring mandatory permanent exclusion from licensure is available at the Board of Registration website <http://www.mass.gov/dpl/consumer/fspagern.htm> <http://www.mass.gov/dph/boards/rn> Click on "Licensing", then "Good Moral Character"

### Right to Review

- If you are denied license based on the Good Moral Character requirement, you have the right to review your denial.
- You will be required to provide documentation which can reasonably substantiate the existence of specific areas of factual dispute relevant to the issue.

Mission of the Board

This process enables the Board to meet its mission to protect the safety and health of the citizens of Massachusetts. By determining *Good Moral Character*, the Board is ensuring that all applicants for initial nursing licensure demonstrate the attributes the citizens expect and deserve in licensed nurses.

Good Moral Character

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2006

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