Virginia Board of Nursing

Guidelines for Processing Applications for Licensure: Examination, Endorsement and Reinstatement

Applicants for licensure, certification, or registration by examination, endorsement and reinstatement who meet the qualifications as set forth in the law and regulations shall be issued a license, certificate, or registration pursuant to authority delegated to the Executive Director of the Board in 18 VAC 90-20-20 of the Board of Nursing Regulations.

An applicant whose license, certificate, or registration has been revoked or suspended is not eligible for licensure, certification, or registration in Virginia unless the credential has been reinstated by the jurisdiction which revoked or suspended it. A suspension or revocation by another jurisdiction that has been stayed on terms is not considered to be reinstated for purposes of Va. Code § 54.1-2408. Pursuant to §54.1-2408 of the Code of Virginia, such applicants shall be advised in writing of their ineligible status by the Executive Director.

Affirmative responses to any questions on applications for licensure, certification, or registration related to grounds for the Board to refuse to admit a candidate to an examination, refuse to issue a license, certificate, or registration or impose sanction shall be referred to the Board President as to how to proceed. **The Executive Director, or designee, may approve the application without referral in the following cases**:

1. The applicant presents a history of chemical dependence with evidence of continued abstinence and recovery (will not apply to applicants for reinstatement if license or certificate was revoked or suspended by the Board or if it lapsed while an investigation was pending.)

2. There is a history of a criminal conviction which does not constitute grounds for denial or Board action pursuant to §54.1-3007 of the Code of Virginia, OR does constitute grounds for denial but meets the following criteria:

- Conviction history of only misdemeanors which are greater than 5 years old, as long as court requirements have been met.
- If one misdemeanor conviction less than 5 years old and court requirements have been met, and the applicant has accepted a pre-hearing consent order to approve the application with a reprimand.
- If one felony conviction, greater than 10 years old and non-violent in nature, and all court/probationary/parole requirements have been met.

3. Convictions in a juvenile court.

4. Applicants with a conviction history previously reviewed and approved by the Board in another occupation regulated by the Board of Nursing and without subsequent criminal convictions.

Revised: 1993; 2003; 2008; 2013; 2015