**Section 515.190 Felony Convictions**

a) Applicants and licensees convicted of an Illinois *Class X, Class 1 or Class 2 felony or an out-of-state equivalent offense* shall be subject to adverse licensure actions under Section 3.50(d)(8) of the Act. In determining whether an applicant or licensee has been convicted of *an out-of-state equivalent offense* under Section 3.50(d)(8)(H) of the Act, the Department shall look to the essential elements of the out-of-state offense to determine whether that conviction is substantially equivalent to an Illinois Class X, Class 1 or Class 2 felony. The fact that the out-of-state offense may be named or classified differently by another state, territory or country shall not be considered in determining whether the out-of-state offense is equivalent. The controlling factor shall be whether the essential elements of the out-of-state offense are substantially equivalent to the essential elements of an Illinois Class X, Class 1 or Class 2 felony (Section 3.50(d) of the Act).

b) All applicants for any license, permit or certification under the Act shall fully disclose any and all felony convictions in writing to the Department at the time of initial application or renewal. Failure to disclose all felony convictions on an application submitted to the Department shall be grounds for license denial or revocation.

c) All licensees and certificate and permit holders under the Act shall report all new felony convictions to the Department within seven days after conviction. Convictions shall be reported by means of a letter to the Department.

d) For applicants with a *Class X, Class 1 or Class 2 felony or an out-of-state* *equivalent offense* (Section 3.50(d) of the Act), the Department shall have the authority to require that the applicant sign an authorization permitting the Department to obtain a criminal history report from the Illinois State Police or other law enforcement agency at the applicant's cost. The failure or refusal of any felony applicant to provide the authorization and fee required by the applicable law enforcement agency shall be grounds for denial of licensure, including renewal.

e) In deciding whether to issue any license to a person with a felony conviction under Section 3.50(d) of the Act, the Department shall consider the degree to which the applicant's criminal history suggests that the applicant may present a risk to patients. Factors to be considered shall include, but not be limited to:

1) The length of time since the conviction and the severity of the penalty imposed;

2) Whether the conviction involved theft, deception or infliction of intentional, unjustified harm to others;

3) Whether there are repeat or multiple convictions or whether the convictions suggest a particular pattern of overall disregard for the safety or property of others;

4) Whether the conviction suggests a propensity that may pose a threat to the public in stressful situations commonly confronted by EMS providers and EMRs;

5) The degree to which the applicant provided full, complete and accurate information upon written request of the Department; and

6) Other unusual facts and circumstances that strongly suggest that the applicant should not be granted a license.

f) The Department may request and the applicant shall provide all additional information relevant to the applicant's history and the factors listed in subsection (e). The Department shall deny any application when the applicant fails or refuses to provide additional relevant information requested by the Department, including, but not limited to, providing the written authorization and fee for a police criminal background check.

(Source: Amended at 42 Ill. Reg. 17632, effective September 20, 2018)