

(III) THE LENGTH OF TIME THAT HAS PASSED SINCE THE CRIME;

(IV) SUBSEQUENT WORK HISTORY;

(V) EMPLOYMENT AND CHARACTER REFERENCES; AND

(VI) OTHER EVIDENCE THAT DEMONSTRATES THAT THE APPLICANT DOES NOT POSE A THREAT TO THE PUBLIC HEALTH OR SAFETY.

(2) THE BOARD MAY NOT ISSUE A CERTIFICATE IF THE CRIMINAL HISTORY RECORD INFORMATION REQUIRED UNDER § 8-303 OF THIS TITLE HAS NOT BEEN RECEIVED.

8-6A-08.

(f) [The] SUBJECT TO SUBSECTION (I) OF THIS SECTION, THE Board shall renew the certificate of each nursing assistant or medication technician who meets the requirements of this section.

(I) (1) (I) BEGINNING JANUARY 2008, THE BOARD SHALL BEGIN A PROCESS REQUIRING CRIMINAL ~~BACKGROUND~~ HISTORY RECORDS CHECKS ON SELECTED APPLICANTS FOR CERTIFICATION AS A CERTIFIED NURSING ASSISTANT WHO RENEW THEIR CERTIFICATES EVERY 2 YEARS AS DETERMINED BY REGULATIONS ADOPTED BY THE BOARD IN ACCORDANCE WITH § 8-303 OF THIS TITLE.

(II) AN ADDITIONAL CRIMINAL HISTORY RECORDS CHECK WILL SHALL BE PERFORMED EVERY 10 YEARS THEREAFTER.

(2) ON RECEIPT OF THE CRIMINAL HISTORY RECORD INFORMATION OF A CERTIFICATE HOLDER FORWARDED TO THE BOARD IN ACCORDANCE WITH § 8-303 OF THIS TITLE, IN DETERMINING WHETHER TO RENEW THE CERTIFICATE, THE BOARD SHALL CONSIDER:

(I) THE AGE AT WHICH THE CRIME WAS COMMITTED;

(II) THE CIRCUMSTANCES SURROUNDING THE CRIME;

(III) THE LENGTH OF TIME THAT HAS PASSED SINCE THE CRIME;

(IV) SUBSEQUENT WORK HISTORY;

(V) EMPLOYMENT AND CHARACTER REFERENCES; AND

(VI) OTHER EVIDENCE THAT DEMONSTRATES THAT THE CERTIFICATE HOLDER DOES NOT POSE A THREAT TO THE PUBLIC HEALTH OR SAFETY.

(3) THE BOARD MAY NOT RENEW A CERTIFICATE IF THE CRIMINAL HISTORY RECORD INFORMATION REQUIRED UNDER § 8-303 OF THIS TITLE HAS NOT BEEN RECEIVED.