

(ii) If the unlicensed individual performs only acts that are in the area of responsibility of the supervisor and under the instruction of the supervisor].

8-312.

(g) (1) (i) Beginning January 2008, the Board shall begin a process requiring criminal history records checks **IN ACCORDANCE WITH § 8-303 OF THIS SUBTITLE** on [selected]:

1. **SELECTED** annual renewal applicants as determined by regulations adopted by the Board [in accordance with § 8-303 of this subtitle]; **AND**

2. **EACH FORMER LICENSEE WHO FILES FOR REINSTATEMENT UNDER § 8-313 OF THIS SUBTITLE AFTER FAILING TO RENEW THE LICENSE FOR A PERIOD OF 1 YEAR OR MORE.**

(ii) An additional criminal history records check shall be performed every 10 years thereafter.

(2) On receipt of the criminal history record information of a licensee forwarded to the Board in accordance with § 8-303 of this subtitle, in determining whether to renew a license, 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 licensee does not pose a threat to the public health or safety.

(3) The Board may not renew a license if the criminal history record information required under § 8-303 of this subtitle has not been received.

8-313.

The Board shall reinstate the license of a former licensee who has failed to renew the license for any reason if the former licensee meets the renewal requirements of § 8-312 of this subtitle.