

1 10A NCAC 13P .0511 is proposed for amendment as follows:

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3 **10A NCAC 13P .0511 CRIMINAL HISTORIES**

4 (a) The criminal background histories for all individuals who apply for EMS credentials, seek to renew EMS
5 credentials, or hold EMS credentials shall be reviewed pursuant to G.S. 131E-159(g).

6 (b) In addition to Paragraph (a) of this Rule, the OEMS shall carry out the following for all EMS Personnel whose
7 primary residence is outside North Carolina, individuals who have resided in North Carolina for 60 months or less,
8 and individuals under investigation that may be subject to administrative enforcement action by the Department
9 under the provisions of Rule .0701(e) of this Subchapter:

10 (1) obtain a signed consent form for a criminal history check;

11 (2) obtain fingerprints on an SBI identification ~~card; and~~ card or live scan electronic fingerprinting
12 system at an agency approved by the North Carolina Department of Justice, State Bureau of
13 Investigation;

14 (3) obtain the criminal history from the Department of ~~Justice.~~ Justice; and

15 (4) collect any processing fees from the individual identified in Paragraph (a) or (b) as required by the
16 Department of Justice pursuant to G.S. 114-19.21 prior to conducting the criminal history
17 background check.

18 (c) An individual is not eligible for initial or renewal of EMS credentials if the applicant refuses to consent to any
19 criminal history check as defined in Rule .0701(e)(13) of this Subchapter and as required by G.S. 131E-159(g).
20 Since payment is required before the fingerprints may be processed by the State Bureau of Investigation, failure of
21 the applicant or credentialed EMS personnel to pay the required fee in advance shall be considered a refusal to
22 consent as defined in Rule .0701(e)(13) of this Subchapter for the purposes of issuance or retention of an EMS
23 credential.

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25 *History Note:* Authority G.S. 143-508(d)(3),(10); 131E-159(g); 114-19.21;

26 Eff. January 1, ~~2009.~~ 2009.

27 Amended Eff. January 1, 2013.