

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,~~ apply for, seek to ~~renew~~  
5 ~~EMS credentials,~~ renew, 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 by the OEMS who may be subject to administrative enforcement action by the  
9 Department under the provisions of Rule .1507 of this Subchapter:

- 10 (1) obtain a signed consent form for a criminal history check;
- 11 (2) obtain fingerprints on an SBI identification card or live scan electronic fingerprinting system at an  
12 agency approved by the North Carolina Department of ~~Justice, State Bureau of Investigation;~~  
13 Public Safety;
- 14 (3) obtain the criminal history from the Department of ~~Justice;~~ Public Safety and
- 15 (4) collect any processing fees from the individual identified in Paragraph (a) or (b) of this Rule as  
16 required by the Department of ~~Justice~~ Public Safety pursuant to G.S. ~~114-19.21~~ 143B-952 prior to  
17 conducting the criminal history background check.

18 (c) An individual who makes application for renewal of a current EMS credential or advancement to a higher level  
19 EMS credential who has previously submitted a criminal background history required under the criteria contained in  
20 Paragraph (b) of this Rule for residing in North Carolina for 60 months or less, but has continuously resided in North  
21 Carolina since submission of the criminal background check may be exempt from the residency requirements of  
22 Paragraph (b) of this Rule if determined by OEMS staff in their professional judgement no other circumstances  
23 warrant another criminal history check as set forth in Paragraph (b) of this Rule.

24 ~~(d)~~ (d) An individual is not eligible for initial or renewal of EMS credentials if the applicant refuses to consent to  
25 any criminal history check as required by G.S. 131E-159(g). Since payment is required before the fingerprints may  
26 be processed by the ~~State Bureau of Investigation,~~ Department of Public Safety, failure of the applicant or  
27 credentialed EMS personnel to pay the required fee in advance shall be considered a refusal to consent for the  
28 purposes of issuance or retention of an EMS credential.

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30 *History Note: Authority G.S. ~~114-19.21;~~ 131E-159(g); ~~143-508(d)(3),(10);~~ 143-508(d)(3); 143-508(10); 143B-  
31 952;*

32 *Eff. January 1, 2009;*

33 *Amended Eff. January 1, 2013;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February*  
35 *2, ~~2016;~~ 2016;*

36 *Amended Eff. January 1, 2017.*