

1 10A NCAC 13P .0511 is amended with changes as published in 30:24 NCR, pp. 2558-2606, 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
21 North Carolina since submission of the criminal background check] may be exempt from the residency requirements
22 of Paragraph (b) of this Rule if determined by OEMS [staff in their professional judgement] that no other
23 circumstances warrant another criminal history check as set forth in Paragraph (b) of this Rule.

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