

## TO BE RESCINDED

4759-4-11 **Criminal records check.**

- (A) In addition to the requirements established in section 4759.06 of the Revised Code and agency 4759 of the Administrative Code, all applicants for an initial license or limited permit license to practice dietetics in the state of Ohio shall submit to a criminal records check conducted by the Ohio bureau of criminal identification and investigation in accordance with section 4759.061 of the Revised Code.
- (B) The results of the criminal records check shall be received by the board prior to the issuance of an initial license to practice and the records check shall have been conducted no earlier that twelve months prior to the filing of the application with the board.
- (C) An applicant requesting a criminal records check shall provide the Ohio bureau of criminal identification and investigation with the applicant's name, address, and any other information required by the bureau of criminal identification for the purpose of completing the criminal records check. In the request the applicant shall ask the superintendent of the Bureau of criminal identification and investigation to obtain any information it has pertaining to the applicant from the federal bureau of investigation.
- (D) The applicant shall cause the results of the criminal records check to be forwarded directly to the "Ohio Board of Dietetics at 77 South High St., Columbus, Ohio, 43215-6119." The board shall only accept results of a criminal records check submitted directly to the board from the Ohio bureau of criminal identification and investigation.
- (E) The applicant shall bear all costs associated with the required criminal records check as determined by the Ohio bureau of criminal identification and investigation, the federal bureau of investigation, and by any agency with authority to charge a fee for fingerprint impressions.
- (F) Prior to issuance of a license, the board will in its discretion evaluate the results of the criminal records check and information from any other source to determine if the applicant is eligible for a license.
- (G) The results of the criminal records check are a confidential record and are not a public record for the purposes of section 149.43 of the Revised Code. Pursuant to section 4776.04 of the Revised Code the results are available for inspection by the applicant or applicant's legal representative during regular business hours. A legal representative requesting inspection of an applicant's criminal records shall have an appropriately filed letter of representation on file in the board office prior to inspecting the applicant's records.

- (H) Background check reports will be retained in the board office for one year from the date of its receipt or final action is taken upon the applicant's license, or until such time as the report is no longer of administrative value.

Effective: 9/30/2019

Five Year Review (FYR) Dates: 7/5/2019

CERTIFIED ELECTRONICALLY

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Certification

09/12/2019

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Date

Promulgated Under: 119.03  
Statutory Authority: 4759.05(A)  
Rule Amplifies: 4759.06, 4759.061  
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