

## **HEALTHCARE PROFESSIONALS' OBLIGATION TO SELF-REPORT CRIMINAL CHARGES TO PROFESSIONAL LICENSING BOARDS**

Arizona law (A.R.S. § 32-3208)<sup>1</sup> requires licensed health professionals<sup>2</sup> and healthcare professionals seeking licensure to report certain criminal charges to their professional licensing boards within ten (10) working days after a charge is filed. Healthcare professionals subject to these reporting obligations must make these reports *irrespective of whether they believe that patient safety has been compromised or could be compromised by behavior giving rise to such charge*. Failure to make a report to the appropriate licensing board is considered unprofessional conduct.

Reportable offenses include, but are not limited to:

- **Driving or boating under the influence**
- **Sexual offenses and family offenses**
- **Assault**
- **Homicide**
- **Kidnapping**
- **Criminal trespass and burglary**
- **Criminal damage**
- **Arson**
- **Theft**
- **Robbery**
- **Forgery**
- **Fraud**
- **Obstruction of public administration**
- **Escape**
- **Bribery**
- **Perjury**
- **Interference with judicial or other proceedings**
- **Offenses against the public order (e.g., disorderly conduct)**

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<sup>1</sup> [32-3208. Criminal charges; mandatory reporting requirements; civil penalty](#)

A. A health professional who has been charged with a misdemeanor involving conduct that may affect patient safety or a felony after receiving or renewing a license or certificate must notify the health professional's regulatory board in writing within ten working days after the charge is filed.

B. An applicant for licensure or certification as a health professional who has been charged with a misdemeanor involving conduct that may affect patient safety or a felony after submitting the application must notify the regulatory board in writing within ten working days after the charge is filed.

C. On receipt of this information the regulatory board may conduct an investigation.

D. A health professional who does not comply with the notification requirements of this section commits an act of unprofessional conduct. The health professional's regulatory board may impose a civil penalty of not more than one thousand dollars in addition to other disciplinary action it takes.

E. The regulatory board may deny the application of an applicant who does not comply with the notification requirements of this section.

F. On request a health profession regulatory board shall provide an applicant or health professional with a list of misdemeanors that the applicant or health professional must report.

<sup>2</sup> Health professionals are defined as a person who is certified or licensed pursuant to A.R.S. chapters 7, 8, 11, 13, 14, 15, 15.1, 16, 17, 18, 19, 19.1, 21, 25, 28, 29, 33, 34, 35, 39, 41 or 42 of Title 32, title 36, chapter 4, article 6, title 36, chapter 6, article 7 or title 36, chapter 17.

- **Eavesdropping**
- **Weapons and explosives violations**
- **Prostitution**
- **Drug offenses, including imitation substances**
- **Obscenity**
- **Animal control offenses.**

A list of all reportable offenses can be obtained from your own professional licensing board. A partial listing of such offenses can be found at

<http://www.azpharmacy.gov/pdfs/reportable%20criminal%20charges.pdf>.