



## Ohio Revised Code

### Section 4723.091 Request for criminal records check.

Effective: December 18, 2025

Legislation: House Bill 440

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(A)(1) Each of the following shall submit a request to the bureau of criminal identification and investigation for a criminal records check of that individual:

- (a) An individual who applies for licensure under section 4723.09 of the Revised Code;
- (b) An individual who applies for issuance of a certificate under section 4723.651, 4723.75, 4723.85, or 4723.89 of the Revised Code;
- (c) An individual who applies for reactivation of a license, under division (D) of section 4723.24 of the Revised Code, that has been inactive for at least five years;
- (d) An individual who applies for reinstatement of a license, under division (D) of section 4723.24 of the Revised Code, that has lapsed for at least five years;
- (e) An individual who applies for a volunteer nursing certificate under section 4723.26 of the Revised Code and has been retired from practice for at least ten years;
- (f) An individual who, as part of an investigation by the board of nursing, is subject to an order by the board under division (F) of section 4723.28 of the Revised Code.

(2) As part of the request for a criminal records check, the individual requesting the check shall do both of the following:

- (a) Under the form and methods described in division (C) of section 109.572 of the Revised Code, submit one complete set of fingerprint impressions directly to the superintendent of the bureau of criminal identification and investigation for the purpose of conducting the check;
- (b) Ask the superintendent to request that the federal bureau of investigation provide to the



superintendent any information the federal bureau of investigation has with respect to the individual.

(B) On receipt of all items required for commencement of a criminal records check requested under division (A) of this section, the bureau of criminal identification and investigation shall conduct the criminal records check of the individual requesting the check. The superintendent of the bureau of criminal identification and investigation also shall request that the federal bureau of investigation provide to the superintendent any information the federal bureau of investigation has with respect to the individual.

On completion of the criminal records check, the bureau of criminal identification and investigation shall report to the board of nursing the results of the check and any information the federal bureau of investigation provides the superintendent.

(C) The results of a criminal records check conducted under division (B) of this section, any information provided by the federal bureau of investigation as described in that division, and any report containing those results or information are not public records for purposes of section 149.43 of the Revised Code and shall not be made available to any person or government entity except as follows:

(1) To the individual who is the subject of the check;

(2) To the board of nursing for use in determining any of the following about the individual who is the subject of the check:

(a) Whether the individual should be granted a license or certificate under section 4723.09, 4723.26, 4723.651, 4723.75, 4723.85, or 4723.89 of the Revised Code;

(b) Whether any temporary permit granted to the individual under section 4723.09 of the Revised Code has terminated automatically;

(c) Whether the individual should have the individual's license or certificate reactivated or reinstated under division (D) of section 4723.24 of the Revised Code;



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(d) Whether the individual should be subject to disciplinary action in accordance with section 4723.28 of the Revised Code.