



## **THECB Criminal History Notification**

Associate of Applied Science in Diagnostic Medical Sonography

### **Occupational License:**

American Registry of Diagnostic Medical Sonographers

ARDMS in several different specialty areas, such as abdomen (AB), obstetrics and gynecology (OB), vascular (VT), fetal echocardiography (FE), pediatric echocardiography (PE), adult echocardiography (AE), pediatric sonography (PS) or breast (BR).

References: <http://www.ardms.org/Pages/default.aspx>

### **What are the current guidelines issued by the applicable licensing authority (See, Texas Occupations Code, Sec. 53.025)?**

#### **COMPLIANCE PROCESS**

The Compliance Policies are mandatory standards for all Individuals, Applicants, Candidates and Registrants/Certificants seeking to obtain and/or maintain ARDMS certification. Individuals, Applicants, Candidates and Registrants/Certificants engaging in any of the following conduct or activities have violated the Compliance Policies and are subject to sanctions as described hereunder in accordance with policies and procedures established by the Intealos Board of Directors.

All compliance investigations, actions, and sanctions (if applicable) will be noted in the Applicant/Candidate/Individual/Registrant/Certificant's record.

The following may be considered violations of the Compliance Policies:

1. Misrepresenting ones' certification/certificate status, including altering or falsifying in any way any document or material issued by ARDMS.
2. Misrepresenting ones' certification/licensure status with a state licensing board, state or federal agency, national professional association or accrediting body.
3. Attempting to engage or engaging in fraud, misrepresentation, deception or concealment of a material fact in connection with obtaining or renewing certification or recertification from ARDMS on one's behalf or on behalf of another. Altering or falsifying in any way any eligibility documentation relating to an ARDMS examination.
4. Subverting or attempting to subvert the examination process, including, but not limited to:
  - a) Engaging in conduct that violates the confidentiality or security of examination materials, such as removing or attempting to remove examination materials from an examination room, or having unauthorized possession of information concerning a current, future or previously administered examination.
  - b) Disclosing information concerning any portion of a current, future or previously administered examination; this includes, but is not limited to,

disclosures to students in educational programs, graduates of educational programs, educators, anyone else involved in the preparation of Candidates to sit for the examinations, or examination development participants.

c) Conduct that in any way compromises ordinary standards of test administration, such as communicating with another Candidate during an examination, copying another Candidate's answers, permitting another Candidate to copy one's answers, possessing unauthorized materials, receiving information concerning any portion of a current, future or previously administered examinations.

d) Impersonating a Candidate or permitting or otherwise assisting an impersonator to take the examination on another's behalf or on behalf of another.

5. Criminal conduct, as described below:

a) Having been charged in a criminal proceeding where: 1) a finding or verdict of guilt is made or returned but where the adjudication of guilt is withheld, deferred or not entered or the sentence is suspended or stayed, or 2) where the individual enters into a pretrial diversion activity; or

b) Having been convicted of a crime, including a felony, gross misdemeanor or misdemeanor, other than a speeding or parking violation. Being convicted of a crime includes, but is not limited to, being found guilty, pleading guilty, or pleading nolo contendere (no contest).

6. Having been subject to a Special or General Military court-martial.

7. Having been the subject of disciplinary action by a state licensing board, state or federal agency, national professional association, or accrediting body.

8. Performing clinical duties while impaired due to chemical (legal and/or illegal), drug or alcohol abuse.

9. Engaging in conduct likely to deceive, defraud, or harm the public; or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient.

10. Having been adjudicated as mentally incompetent, mentally ill, chemically dependent, or dangerous to the public, by a court of competent jurisdiction.

11. Failure to report to ARDMS within fourteen (14) days involvement in any of the situations described in Sections 1.1 through 1.10. Such failure includes, but is not limited to, a failure by an Applicant, Candidate, Individual or Registrant/Certificant who has previously undergone the compliance review process to immediately report to ARDMS any additional situations described in 1.1 through 1.10 except as provided by Section 2 (Reporting of Compliance Violations).

12. Failure to cooperate with ARDMS in investigations of alleged compliance violations as described in this section, including but not limited to the following:

a) Making a false statement, knowingly providing false information, and/or failing to disclose material information in connection with a compliance action situation; or

b) Failing to provide information as requested, including but not limited to information regarding:

i. Test security violations and/or disclosure of confidential examination material content;

- ii. Misrepresentations by an Individual, Applicant, Candidate or Registrant/Certificant regarding his/her credential(s)/certificate status;
  - iii. The unauthorized use of intellectual property, certification marks, and other copyrighted materials;
  - iv. Compliance action situations.
- c) An individual who takes longer than thirty (30) days to respond to a request will be deemed to have not acted in a timely manner.

13. Civil or Criminal Penalties. Conduct that violates the Compliance Policies may also violate applicable state or federal law. In addition to potential sanctions under these Compliance Policies, Inteleos may pursue civil and/or criminal penalties against the Individual, Applicant, Candidate, Registrant/Certificant.

Reference: <http://www.ardms.org/CompliancePolicies>

**Are there any other state or local restriction or guideline used by the licensing authority to determine the eligibility of an individual who has been convicted of an offense for an occupational license issued by the licensing authority? If so, who and what are the restrictions or guidelines?**

None

**What process should the applicant or enrollee follow to request a licensing authority conduct a criminal history evaluation ([Texas Occupations Code, Sec. 53.102](#))?**

Potential applicants may wish to request an interpretation of ARDMS rules concerning violations of ARDMS Compliance Policies as the rules may apply to his or her individual situation prior to submitting an ARDMS examination application. ARDMS can conduct a “pre-application review” which provides an assessment of the potential impact criminal/disciplinary matters may have on his/her eligibility for ARDMS certification. This service is offered for a \$125 USD nonrefundable fee.

In order for the ARDMS to render a determination the criminal/disciplinary case pertaining to the matter must be closed, meaning that all conditions of sentencing (including parole/probation and payment of fines) have been completed.

The pre-application form can be downloaded through the following link, <http://www.ardms.org/Compliance/Pre-application>. Also please include all court/sanction documents relevant to the matter, including, but not limited to, any statement of charges, judgment and the status of any fines, sentences and probation.

This process based on the severity of the matter could take up to six (6) months to be processed and heard by the ARDMS Compliance Panel.

**I understand that I am receiving this notice in compliance with the laws of the State of Texas and have reviewed this notice and all linked criteria. I understand that I may not be eligible for licensure or certification based upon any criminal convictions or history prior to, during, or after my educational activities at the Baptist Health System School of Health Professions. If more information is required, I will contact my program director at the earliest possible convenience.**