

IMPACT OF A FELONY CONVICTION

National Certification:

Our professional field requires you to pass a National Exam. Candidates applying for the NBCOT® Certification Examination for Certified Occupational Therapy Assistant (COTA) are required to answer character review questions.

Character Review

1. a. Have you ever been convicted of a felony? (NOTE: Applicants must answer affirmatively even if convictions have been pardoned, expunged, released, or sealed.)
 - b. Do you currently have a felony charge or charges against you?
2. a. Have you ever had any professional license, registration, or certification denied, revoked, suspended, or subject to probationary conditions by a regulatory authority or certification board, including NBCOT?
 - b. Do you currently have a professional license, registration, or certification under review for possible disciplinary action?
3. a. Have you ever been found by any court, administrative, or disciplinary proceeding to have committed negligence, malpractice, recklessness, or willful or intentional misconduct which resulted in harm to another?
 - b. Do you currently have a charge(s) of negligence, malpractice, recklessness, or willful or intentional misconduct that resulted in harm to another against you?
4. a. Have you ever been suspended and/or expelled from a college or university?
 - b. Are you currently under active investigation that could lead to being suspended and/or expelled from a college or university?

The NBCOT character review also consists of a background check. It is important to note that failure to answer the Character Questions honestly is a violation of Principle 1 of the NBCOT Code of Conduct.

Eligible candidates who answer "Yes" to any of the character questions on the exam application MUST submit the following required documentation when they apply:

- A detailed, written explanation regarding the incident(s). Please describe your involvement and behavior in the incident(s), including how your actions were discovered.
- If you have been on parole or probation at any point within the last seven (7) years, you must include documentation confirming your compliance with or completion of all terms and conditions imposed by the court. This can be a letter from your probation officer, or other official court documentation.

Please note that NBCOT may request additional information as needed on a case by case basis or when warranted by the results of the background check.

All information MUST be submitted to and reviewed by NBCOT before the exam application may be approved. After NBCOT has completed its review, the individual is notified in writing regarding whether he/she will be eligible to sit for the NBCOT exam, provided that all other eligibility requirements are met.

If an exam candidate answered "Yes" to a character question and was cleared for the exam, or received a favorable Early Determination Review prior to applying, the candidate MUST answer the appropriate character question(s) on the exam application affirmatively when applying or reapplying for the exam. If the affirmative response is in reference to the same issue that NBCOT previously reviewed, and no further incidents have occurred, the candidate MUST send written confirmation of this to professional.conduct@nbcot.org after reapplying. The candidate will not need to resubmit any previously submitted documentation.

If there have been additional incidents or further legal action resulting in an additional affirmative answer to one or more of the character questions, the candidate MUST answer the appropriate character question(s) affirmatively and submit information regarding the new incident to NBCOT for review. If the candidate fails to inform NBCOT, disciplinary action may result. Notifications should be sent to professional.conduct@nbcot.org.

If an exam candidate received a favorable review from the Early Determination Review process, the candidate will be required to undergo another background check as part of their exam application.

If a candidate answers "Yes" to a character question in error, the answer can be changed provided that the application is still in "New" status. If the application has moved beyond the "New" status, the candidate should send an email noting the error to professional.conduct@nbcot.org.

State Licensure:

Licensure is required for a COTA to practice in most states. State licensure is based on results of the national certification exam administered by NBCOT. Delaware and other states have rules and regulations regarding licensure of those individuals who have committed a felony or other significant illegal actions.