

- 26 58-42b-102, Utah Code Annotated 1953
- 27 58-42b-103, Utah Code Annotated 1953
- 28 58-42b-104, Utah Code Annotated 1953
- 29 58-42b-105, Utah Code Annotated 1953
- 30 58-42b-106, Utah Code Annotated 1953
- 31 58-42b-107, Utah Code Annotated 1953
- 32 58-42b-108, Utah Code Annotated 1953
- 33 58-42b-109, Utah Code Annotated 1953
- 34 58-42b-110, Utah Code Annotated 1953
- 35 58-42b-111, Utah Code Annotated 1953
- 36 58-42b-112, Utah Code Annotated 1953
- 37 58-42b-113, Utah Code Annotated 1953
- 38 58-42b-114, Utah Code Annotated 1953
- 39 58-42b-201, Utah Code Annotated 1953



41 *Be it enacted by the Legislature of the state of Utah:*

42 Section 1. Section **58-1-301.5** is amended to read:

43 **58-1-301.5. Division access to Bureau of Criminal Identification records.**

44 (1) The division shall have direct access to local files maintained by the Bureau of  
45 Criminal Identification under Title 53, Chapter 10, Part 2, Bureau of Criminal Identification,  
46 for background screening of persons who are applying for licensure, licensure renewal,  
47 licensure reinstatement, or relicensure, as required in:

- 48 (a) Section 58-17b-307 of [~~Title 58;~~] Chapter 17b, Pharmacy Practice Act;
- 49 (b) Sections 58-24b-302 and 58-24b-302.1 of [~~Title 58;~~] Chapter 24b, Physical  
50 Therapy Practice Act;
- 51 (c) Section 58-31b-302 of [~~Title 58;~~] Chapter 31b, Nurse Practice Act;
- 52 (d) Section 58-47b-302 of [~~Title 58;~~] Chapter 47b, Massage Therapy Practice Act;
- 53 (e) Section 58-55-302 of [~~Title 58;~~] Chapter 55, Utah Construction Trades Licensing  
54 Act, as it applies to alarm companies and alarm company agents;
- 55 (f) Section 58-42a-302 and 58-42a-302.1 of Chapter ~~H~~→ **[42b, Occupational Therapy**  
56 **Licensure Compact] 42a, Occupational Therapy Practice Act** ←~~H~~ ;

274 Licenses;

275 (4) Notify the Commission, in compliance with the terms of the Compact and Rules, of  
276 any Adverse Action or the availability of Investigative Information regarding a Licensee;

277 (5) Implement or utilize procedures for considering the criminal history records of  
278 applicants for an initial Compact Privilege. These procedures shall include the submission of  
279 fingerprints by applicants for the purpose of obtaining an applicant's criminal history record  
280 information from the Federal Bureau of Investigation and the agency responsible for retaining  
281 that State's criminal records

282 (a) A Member State shall, within a time frame established by the Commission, require  
283 a criminal background check for a Licensee seeking/applying for a Compact Privilege whose  
284 Primary State of Residence is that Member State, by receiving the results of the Federal Bureau  
285 of Investigation criminal record search, and shall use the results in making licensure decisions;

286 (b) Communication between a Member State, the Commission and among Member  
287 States regarding the verification of eligibility for licensure through the Compact shall not  
288 include any information received from the Federal Bureau of Investigation relating to a federal  
289 criminal records check performed by a Member State under Public Law 92-544;

290 (6) Comply with the Rules of the Commission;

291 (7) Utilize only a recognized national examination as a requirement for licensure  
292 pursuant to the Rules of the Commission; and

293 (8) Have Continuing Competence/Education requirements as a condition for license  
294 renewal.

295 (B) A Member State shall grant the Compact Privilege to a Licensee holding a valid  
296 unencumbered license in another Member State in accordance with the terms of the Compact  
297 and Rules.

298 (C) Member States may charge a fee for granting a Compact Privilege.

299 (D) A Member State ~~shall~~ [shall] may ~~may~~ provide for the State's delegate to attend all

299a Occupational

300 Therapy Compact Commission meetings.

301 (E) Individuals not residing in a Member State shall continue to be able to apply for a  
302 Member State's Single-State License as provided under the laws of each Member State.

303 However, the Single-State License granted to these individuals shall not be recognized as  
304 granting the Compact Privilege in any other Member State.