

The Life Cycle of Licensure through IDFPR:

Application

- Potential licensee completes requirements for licensure
- Individual submits application to the Department on official application forms (See Appendix 1a). Each application is different, but all contain the same information form.
 - Application requires disclosure of criminal history and personal history
 - Disclosure of arrest records and criminal convictions (See Appendix 1b)
 - Disclosure of mental health and physical problems
 - Some applications require fingerprint for criminal records search (See Appendix 1c)

Investigation & Review

- If applicant indicates a history of criminal conviction, if a fingerprint search returns a record of criminal conviction, or if a criminal conviction is reported on a licensee, the file is routed to the Prosecutions Unit. If there is no relevant conviction, the license will be issued per the other rules.
 - Chief of prosecutions reviews the entire file, evaluating the on the grounds of seriousness and nature of the offense, relation to the desired license, time elapsed since the offense, actions and activities since the offense, whether or not the applicant honestly disclosed the offense, and whether the offense is part of a pattern of continued criminal activity or an isolated event. Chief of prosecutions then decides to allow the issuance of the license, or to issue an *Intent to Deny (ITD)* letter to the applicant (See Appendix 2a). If the applicant is already licensed, an *Intent to Refuse to Renew (ITRTR)* letter would be sent (See Appendix 2b).

Petition

- Applicant has 30 days to respond to the ITD to contest the denial and petition to be heard via a *Petition for Hearing* (See Appendix 3a). If the Petitioner had previously been licensed, the petition would be a *Petition for Restoration* (See Appendix 3b).
 - Petitioner schedules a conference/hearing with the Department and is given an opportunity to explain their case and to provide additional information or to answer questions the Department may have.
 - Prosecution unit decides, after reviewing the new information gained through the conference, whether to issue the license or to proceed to a hearing before an administrative law judge (ALJ).
 - Petitioner and Department may mutually agree on an appropriate course of action and enter an agreement by signing a consent order. A consent order becomes final once signed and the case is completed.

Hearing

- If the case proceeds to a hearing before an ALJ, the Department conducts a hearing per the Administrative Hearing Procedure Act (See Appendix 4).
 - Once the hearing procedure is complete, the ALJ submits his or her Findings of Fact, Conclusions of Law, and Recommendations to the Board, to the applicable professional board. Boards are composed, generally, of professionals licensed in the fields their boards cover.
 - The board reviews the ALJ report and transcripts of the proceedings, and prepares a report to the Director of the Department conferring their Findings of Fact, Conclusions of Law, and Recommendations to the Director.
- Upon submission of the Board Report to the Director, the Department issues a *20-Day Notice* (See Appendix 5) to the petitioner. The 20-Day Notice consists of a form-letter cover page, the ALJ Report, and the Board Report.

- The petitioner has 20 days from the mailing date of the notice to submit a motion for rehearing to the Department.
- If the motion for rehearing is granted, the hearing procedure starts over

Director's Order

- If a motion for rehearing is denied or if no motion is received in the 20-day period, the Director will review the reports from the Board and the ALJ and issue an order on the action to be taken for the petitioner's application (See Appendix 6).
 - If the order denies the petition for licensure, the petitioner may request an Administrative Review, per the Administrative Review Law. Each licensing act provides for judicial review and generally establishes a venue for said review.

Going Forward

If the petitioner desires to pursue licensure again, he or she may submit a new application for licensure at any time after the final order.