

Initial Date:  
Revised Date: 05/30/23

Section 8.26

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## ***EMS Provider Criminal Charges and Convictions***

### **Purpose:**

The purpose of this policy is to provide the parameters for EMS licensure related to criminal charges and convictions.

### **Definitions:**

**Charge:** any formal accusation made by a governmental authority asserting that somebody has committed a criminal misdemeanor or felony (anything other than a civil infraction).

**Conviction:** any plea of nolo contendere, a guilty plea, or plea agreement, including deferments, as well as conviction(s) after a trial.

### **Policy:**

Failure to disclose a criminal conviction or withholding of any material information regarding such conviction on any application for licensure will be considered a violation of [Section 20958\(1\)\(a\)](#) of the Public Health Code.

An EMS license or licensed EMS provider at any level may be denied, suspended, or revoked, or other appropriate action taken with respect to a felony or misdemeanor criminal charge or conviction under either [Section 20958\(1\)](#) or [Section 20168](#) of the Public Health Code. Applicants that have a criminal charge, may have their license suspended until resolution of the criminal matter.

### **Procedure:**

1. An EMS provider shall notify all their employers and all Medical Control Authority(s) in which they hold MCA privilege(s) in writing within one business day of being charged and/or convicted of a felony or criminal misdemeanor.
2. The Medical Director shall make a determination whether to temporarily suspend privileges within the respective MCA.
3. The Medical Control Authority PSRO will review and make a recommendation regarding the subject licensee's privileges to practice EMS within the MCA.
4. The Medical Control Authority PSRO will notify the MDHHS and the subject licensee of the results.

**Protocol Source/References:** [Michigan Public Act 368 of 1978 Public Health Code, as amended](#). Parts 201 and 209. Retrieved April 19, 2021, from the Michigan Legislature website.