

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2219. Application for Licensure.

(a) Application for licensure or renewal shall be made upon an application form to be furnished by the Board and shall be signed and sworn to under penalty of perjury by the applicant.

(b) There shall be paid to the Board a non-refundable application fee, in an amount which the Board shall fix by regulation, and thereafter annually by resolution or regulation.

(c) The applicant shall provide to the Board and attest to, the information which the Board requires in its regulations.

(d) The burden of proof shall be upon the applicant to provide and verify to the Board's satisfaction the required information. The applicant shall be responsible for the cost of obtaining such information from recognized information services and data services.

(e) *Legal effect of the application:*

(1) The submission of an application for licensure to the Board shall constitute, and operate as, a waiver of the right to privacy, and an authorization and consent by the applicant to the Board to disclose and release:

(i) Information or documentation required by, set forth in, or submitted with, the applicant's application; and/or

(ii) Information or documentation obtained by the Board from other persons, including businesses, associations, educational institutions, and/or governmental entities.

(2) By submission of an application for licensure, or renewal, an applicant shall be deemed to have given his or her consent to submit to mental or physical examination and/or chemical dependency evaluation, including the taking of tissue or fluid samples, as the Board may direct, and to waive all objections as to the admissibility or disclosure of such information and related findings, reports, or recommendations in an administrative or judicial proceeding.

(3) The application form shall include statements substantially similar to those of the preceding subparagraph, section 2219(e)(2), and the applicant must sign in agreement therewith.

(4) Except that nothing in this subsection shall eliminate the Board's obligations under the Open Government Act of 1992, 1 CMC §§ 9917-18, with respect to putatively confidential information submitted to the Board in order to obtain a benefit.

(f) The expense of any such mental, physical, laboratory or other application-related examination or evaluation shall be borne by the applicant.

(g) The Board shall require the submission of information and/or documentation necessary to the licensure determination, including:

- (1) Criminal background;
- (2) The person's experience, training and certifications;
- (3) Relevant medical information;
- (4) Work, licensing and/or disciplinary history; and
- (5) Adverse legal, regulatory and/or professional actions.

Source: PL 15-105, § 3(2219).