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IN-DEMAND OCCUPATIONS FOR PRIOR JUSTICE-INVOLVED

TN STATE LICENSURE RESTRICTIONS **2022**

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ABOUT THE GUIDE

TBR is committed to creating and assisting with education and workforce development solutions for all Tennesseans, including those who may be justice-involved. Because individuals with prior convictions or criminal history often face discrimination with regards to occupational licensure, this guide seeks to offer guidance and dispel myths regarding occupational licensure both for prior justice-involved students as well as stakeholders such as advisors, college personnel, and others who may act as gatekeepers to these various occupations.

While this guide is not comprehensive, it does present licensure pathways and information for 12 in-demand occupations requiring licensure in Tennessee.

In order to gain employment in some fields, an individual will be required to obtain occupational or professional licensure by a state agency. The licensing agency and their procedures are explained in this guide along with any applicable barriers for prior justice-involved individuals.

Obtaining licensure does not guarantee an individual a job in a field, but it may be required in order to work in that field.



ABOUT TBR: THE COLLEGE SYSTEM OF TENNESSEE

TBR - The College System of Tennessee is the largest system of higher education in Tennessee, with 13 community colleges and 26 technical colleges across the state offering more than 400 programs of study. It is governed by the Tennessee Board of Regents. The board meets four times a year at regularly scheduled meetings, and the chairman may call additional meetings during the year as needed. The board sets policies and guidelines that govern all TBR institutions. All board meetings are open to the public and the press as observers under Tennessee law.

KNOW YOUR RIGHTS

The state of Tennessee is committed to assisting all Tennesseans to find gainful employment and contribute to the overall workforce development. As such, several applicable laws have been passed in recent years specifically designed to help prior justice-involved individuals move past their prior mistakes to build a future that involves a good job. While a job or licensure is not guaranteed, learning about these laws can help you gain employment. **The information provided below is provided for informational purposes only and does not represent legal advice by TBR.**

FAIR CHANCE ACT (2016)

T. C. A. § 8-50-112, colloquially known as “ban the box,” prevents certain **state agencies or entities** from initially asking about prior criminal background in a job application unless the job requires a background check under federal law or is a job in education.

TN FRESH START ACT (2018) Public Chapter 793

Generally, provides that denial of occupational licensure for a prior conviction can only be done if the crime directly relates to the field of license.

<https://publications.tnsosfiles.com/acts/110/pub/pc0793.pdf>

MORAL TURPITUDE

Many health occupations will include a moral turpitude clause that can become problematic for prior justice-involved individuals. Offenses of moral turpitude include [bribery, fraud, drug charges, and prostitution](#).

FEDERAL BONDING PROGRAM

The federal bonding program is available to employers as a sort of insurance program to incentivize the hiring of prior felons upon re-entry. You might consider mentioning this program to a potential employer as an incentive at hiring, as this program will pay a portion of the salary for a prior felon that is hired and successfully maintains employment.

LICENSE GUIDES:

The information provided below regarding licensing procedures and barriers for prior justice-involved individuals was obtained from the applicable licensing agency prior to publication and is provided for informational purposes only. TBR did not independently verify the accuracy thereof and specifically cautions that the information provided herein does not represent legal advice by TBR. An individual interested in pursuing any of the programs outlined below is responsible for independently verifying the requirements and procedures necessary to obtain a license as well as determining whether any prior arrest or conviction will prohibit the individual from being able to obtain the license. In the event there is any question about an individual's ability to obtain a license, TBR encourages individuals to contact the appropriate board prior to beginning training or a course of study.



BUILDING INSPECTOR

Training available at the following institutions: Nashville State, Chattanooga State, Pellissippi State, TCAT Crossville, TCAT Dickson, TCAT Harriman, TCAT Hartsville, TCAT Hohenwald, TCAT Livingston, TCAT Memphis, TCAT Morristown, TCAT Murfreesboro, TCAT Nashville, TCAT Oneida, TCAT Pulaski

Licensing Requirements

- Submit completed [application](#) and eligibility verification [form](#) (\$45 fee).
- Successful completion of a recognized and accepted [training course](#) provided by an identified professional building codes organization.
- Successful completion of an affiliate examination.
- Pay \$254 initial license fee.
- Must be certified by the International Code Council or the National Fire Protection Agency.

Renewal Requirements

- Renewal required every three years.
- Submit a completed renewal [application](#) along with a \$35 fee to State Fire Marshal's Office.
- 36 hours of continuing education during three-year period.
- Pay \$315 renewal fee.

Licensing Agency:

Tennessee Department of of Commerce and Insurance, State Fire Marshall's Office
Phone: (615)-741-2891
Email: SFMO_permits-licensing@tn.gov
Address: 500 James Robertson Parkway, Nashville, TN 37243
[Website](#)

How will having a criminal record affect getting a license?

(c): An individual, applicant, licensee, certificate holder, or registrant who receives written notice pursuant to subdivision (b)(2) or (b)(3) may file a petition within thirty (30) business days of the receipt of the notice in Davidson County chancery court. The licensing authority must demonstrate by a preponderance of the evidence that the individual, applicant, licensee, certificate holder, or registrant's conviction is related to the applicable occupation, profession, business, or trade.



CHILDCARE/ DAYCARE EMPLOYEE

Training available at the following institutions: Pellissippi State, Roane State, Nashville State, Chattanooga State

Licensing Requirements

All individuals working in licensed child care in Tennessee must submit to a criminal history background check through the Tennessee Bureau of Investigation (TBI).

- Each applicant must complete a Disclosure Form which is retained by the child care agency. Applicants who have lived out-of-state in the last five years no longer need to complete a separate Supplemental Disclosure Form because all the elements from that form have been included in the revised form: [Child Care Criminal/Juvenile History & State Registry Review Disclosure Form](#).
- Each applicant must be fingerprinted: [Instructions for Fingerprinting](#).
- Each applicant must retain proof of being fingerprinted by returning the signed receipt to the child care agency to be attached to the Disclosure Form.
- The agency must enter the TCN number on the Disclosure Form. This number is located on the fingerprinting receipt.

Information about obtaining the Originating Agency Identifier (needed to register to be printed) can be found at: [Background Check Terms & Procedures](#).

Find a live-scan fingerprinting location and schedule an appointment to be printed at [Fingerprinting Enrollment Screen](#).

The overall background check process includes a check of any applicable out of state registries if the applicant has lived in another state during the last (5) years. Please see the instructions for completing the out of state registry check portion of the background check process at [Out of State Registry Check](#).

Licensing Agency:

Department of Human Services

CC-Criminal-Background-Inquiries.DHS@tn.gov

505 Deaderick Street; Nashville, TN 37243

How will having a criminal record affect getting a license?

Criminal offenses for which a person must be excluded from a child care agency include physical, sexual or emotional abuse or neglect of a child, crimes of violence, any offences that present a threat to the health, safety or welfare of children, and drug related offenses. Specific examples of excludable criminal offenses include aggravated assault, arson, child abuse, cruelty to animals, domestic assault, indecent exposure, reckless endangerment, robbery, stalking, vehicular assault, voluntary manslaughter, and weapons offenses. An expanded list of excludable offenses can be found in the Licensure Rules for Child Care Agencies 1240-04-01-.07 at: <https://publications.tnsosfiles.com/rules/1240/1240-04/1240-04-01.20190103.pdf>

COMMERCIAL DRIVER'S LICENSE (CDL)

Training available at the following institutions: TCAT Chattanooga, TCAT Crossville, TCAT Harriman (Active TNDL required to apply), TCAT Jackson, TCAT Knoxville, TCAT Memphis, TCAT Newbern, TCAT Oneida, TCAT Shelbyville

Licensing Requirements

- Must be at least 21 years of age.
 - > EXCEPTIONS: if you operate a vehicle solely intrastate and within 100 miles of job, and your vehicle requires no special endorsements, you may obtain a B license at age 18. At age 19 you can obtain a Class A or Class B license without endorsement.
- Must not currently be under a driver license suspension, cancellation or revocation.
- Pass Knowledge Test (more tests depending on the type of freight you carry).
- Pass Commercial Skills Road Test ([Scheduling Information](#)).
- Submit a [Medical Certificate](#) via a certified doctor ([most doctors qualify](#)).
- Include an Affidavit of Self-Certification, and
- Medical Examiner Certification (Form MCSA 5876).
- Provide proof of Social Security Number.
- Proof of United States citizenship (example: valid passport, birth certificate).
- Provide Tennessee driver's license or ID, or a valid driver's license or Commercial Driver's License (CDL) from another state.
- Two documents of proof of domicile in Tennessee (example: current utility bill and mortgage papers).
- Pay \$46 for a Class A license (\$6 non-refundable application fee + \$40 license fee).

Renewal Requirements

- Required every two years.
- Submit updated Medical Certificate (make sure your certificate has a two-year expiration, otherwise must renew sooner).
- Renewal [Information](#).

Licensing Agency:

Tennessee Department of Safety and Homeland Security: Commercial Driver License Division
Phone: (61)-502-4179
Email: DI.CDL.Medcert@tn.gov
Address: 1150 Foster Avenue, Nashville, TN 37243
[Website](#); Tennessee Professional [Manual](#)

How will having a criminal record affect getting a license?

- Fingerprint-Based Background Check if Applying for Hazardous Materials Endorsement (HME).
 - > TSA must determine (within 90 days prior to the application) that the applicant does not pose a security threat before HME may be issued.
- Traffic, alcohol, felony violations relevant to maintaining license.
 - > Ex: Lose license for life if you **use** a CMV to commit a felony involving controlled substances.

COSMETOLOGIST/BARBER

Training available at the following institutions:

Barbering - TCAT Chattanooga, TCAT Livingston, TCAT Memphis, TCAT Paris

Cosmetology - TCAT Chattanooga, TCAT Crossville, TCAT Dickson, TCAT Elizabethton, TCAT Harriman, TCAT Hartsville, TCAT Hohenwald, TCAT Jacksboro, TCAT Knoxville, TCAT Livingston, TCAT McMinnville, TCAT Memphis, TCAT Morristown, TCAT Murfreesboro, TCAT Nashville, TCAT Newbern, TCAT Oneida, TCAT Paris, TCAT Ripley

Licensing Requirements:

Be at least 17 years of age, not owe any money to the barbering/cosmetology school, meet education and examination requirements.

Licensing Agency:

State Board of Cosmetology and Barber Examiners
Cosmetology.board@tn.gov
500 James Robertson Pkwy; Nashville, TN 37243
(615) 741-2241

How will having a criminal record affect getting a license?

Having a felony does not mean someone cannot get a license, it just requires a couple extra steps in the licensing process.

If there is an applicant that was convicted of a felony within the last three years, the documents that must be submitted to the board along with the "Application to Test" are as follows:

- Letter of Recommendation from the applicant's instructor or school administrator. This usually has a request for the board to grant the applicant a license.
- Written statement of charges (can be a rap sheet) that includes circumstances of charge and disposition.

Note that if no felony occurred within the past three years, this process is not required.



ELECTRICIAN

Training available at the following institutions:

Industrial Electricity - Dyersburg State, Pellissippi State, Walters State, TCAT Jackson, TCAT Knoxville, Chattanooga, McMinnville, Morristown, Crump, Elizabethton, Pulaski, Ripley, Shelbyville, Jacksboro, Harriman

Electrical Engineering Technology - Chattanooga State, Pellissippi State, Cleveland State, Walters State, Nashville State, Northeast State

Licensing Requirements:

Electrical work is licensed at various levels in Tennessee (State and Local). The need for a state LLE license is based upon the following:

The total cost is less than \$25,000; (amount includes materials and labor, unless supplied by the owner (cannot be supplied by the prime/general contractor). [See Rule 0680-1-.13]

Location of the project; check with the local government in the city and county's [Local Codes Enforcement](#) office to see if the LLE is accepted for permits and inspections, or if a local electrical journeyman/master license is required. [This information has been compiled here.](#)

A "Business" tax license may also be required by local government.

A state [Contractor's](#) with an electrical (CE) classification (comparable to a "Master Electrician") is required to perform projects \$25,000 or more. The LLE exam is not reciprocal with other states electrical license exam. The [Division of Fire Prevention](#) adopts codes and their law covers electrical installations and inspections for LLE's in some local governments. The electrical law may be reviewed at T.C.A. 68-102-150 at: [LexisLaw Publications](#) (see Tennessee section).

- Complete licensing [application](#).
 - > Complete citizenship status form (page 5 of application).
- Satisfactory completion (72.5 percent correct) of examination.
 - > Costs \$53
- Pay \$50 initial licensing fee.

Renewal Requirements

- [Renewal](#) required every two years.
- Pay \$50 renewal fee (additional \$10 for every month renewal is late, up to \$80).
- No continuing education requirements.

Licensing Agency:

Department of Commerce and Insurance
Ask.TDCI@tn.gov
500 James Robertson Pkwy; Nashville, TN 37243
(615) 741-2241

How will having a criminal record affect getting a license?

- Criminal background check required.
- If you have been convicted of a felony in any jurisdiction, you must attach a statement explaining the details of the conviction, supply a copy of the charging document, the disposition and proof of any sentence or court order, and release of probation.
 - > Before a license is granted to anyone with a conviction, the Board requires review of the criminal background documents for the complete criminal history and timeline.
 - > In addition, if you have had disciplinary action against another professional license or a complaint history you may be required to appear before the Board which meets at least six times annually.

A felony conviction does not automatically preclude someone from licensing, however, it does require the Board's approval. If you have been convicted of a felony in any jurisdiction (Tennessee or any state), you must attach a statement explaining the details of the conviction, supply a copy of the charging document, the disposition and proof of any sentence or court order, and release of probation. Before a license is granted to anyone with a conviction, the Board requires review of the criminal background documents for the complete criminal history and timeline. In addition, if you have had disciplinary action against another professional license or a complaint history you may be required to appear before the Board which meets at least six (6) times annually.

The Board is charged with protecting the safety and welfare of the public and they will judge each individual case on its own merit. The law requires disclosure of felonies, as well as any court litigation and judgments. A license is not automatically denied due to judgments and convictions, however, failure to disclose is a violation of law and a civil penalty may be assessed for not providing true and correct information, such as the license also being denied or revoked. Consumers or licensees may report known violations to the Board anonymously.

Review the LLE License Law, Rules and Regulation

It is very important to ensure you are knowledgeable with the license laws, rules and regulations. These laws are covered in both the Contractor's law and the Division of Fire Prevention's law. These may be reviewed from our website at the "Laws, Rules and Regulations". Failing to be familiar with the law could cause violations affecting your license. For example, Limited Licensed Electricians (LLE) licensees cannot use the term or advertise as a "Contractor". Never allow another individual to use your license (considered aiding in unlicensed activity). If you perform work in an area regulated by another state agency (such as the Alarm Systems Board), be sure to obtain their required licenses. In addition, a LLE licensee cannot perform work where the total electrical on a project or contract is \$25,000 or more; contracts cannot be split into phases to circumvent the contractor licensing law. If you want to be licensed to perform projects \$25,000 or more, you'll need to obtain a "Contractor's" license with a CE (electrical) classification. Also, be sure to notify the Board's office of any change in mailing address. When using a P.O. Box for mail, you must also supply a physical address.

Always check with the local municipality for permits and inspections, as well as, for their own electrical license requirements. In areas where there is not a codes office, the state's Fire Marshal performs inspections.

EMERGENCY MEDICAL SERVICES

Training available at the following institutions: Chattanooga State, Roane State, Cleveland State, Columbia State, Dyersburg State, Jackson State, Volunteer State, Walters State, Southwest Tennessee, Motlow State, Northeast State, TCAT Oneida, TCAT Knoxville, TCAT Livingston, TCAT Ripley

Licensing Requirements:

- Must be at least 17 years of age.
- Must be able to read, write, and speak the English language.
- Must not have any history within past three years of habitual intoxication or personal misuse of any drugs or intoxicating liquors in such a manner as to adversely affect the ability to practice as an EMR.
- Must have successfully completed a board approved Emergency Medical Responder training program.
- Must obtain a passing score on a board approved written examination.
- Must submit an application and required certification fees.
- Must complete all requirements for certification within two years of course completion date.
- Must complete all certification requirements within two years of course completion date; if not, the application will be considered abandoned and will be destroyed.

Licensing Agency:

Department of Health
tn.health@tn.gov
710 James Robertson Pkwy; Nashville, TN 37243
(615) 741-2584

How will having a criminal record affect getting a license?

Tennessee EMS Rules and Regulations require a criminal background check for any person seeking a license with the Office of EMS. A misdemeanor will usually not preclude a person from being licensed. Exceptions would be a habitual offender or someone with a known drug or alcohol addiction. As a matter of policy, licensure applications are denied to anyone with a felony conviction or who has served a sentence greater than 11 months and 29 days. However, an applicant who has been denied may appeal to our EMS Board for licensure. While it is rare for the EMS Board to grant an appeal, they do occur in some cases.

GENERAL CONTRACTOR

Training available at the following institutions: Nashville State, Chattanooga State, Pellissippi State, TCAT Crossville, TCAT Dickson, TCAT Harriman, TCAT Hartsville, TCAT Hohenwald, TCAT Livingston, TCAT Memphis, TCAT Morristown, TCAT Murfreesboro, TCAT Nashville, TCAT Oneida, TCAT Pulaski

For projects \$25,000 and up

Licensing Requirements ([TCA 62-6-103](#)):

- Complete online contractor licensing [application](#).
 - > Exams - Licenses are issued with a Classification based on passing “Business and Law” and applicable “Trade” Examination); Exam cost is \$53 for each exam with [PSI](#).
Classifications include: Building (Residential/ Commercial); Electrical; Mechanical; HVAC; Plumbing; Landscaping; Roofing, Excavation; Municipal Utility (Waterlines); Heavy Construction (Welding/Storm Damage Cleanup/Demolition); etc.
 - > Financial Statement - Prepared by a licensed Certified Public Accountant (CPA).
License is issued in the name listed on the financial statement; Monetary limit is based upon 10% of Working Capital and Net Worth.
 - > Insurance for General Liability, and Workers’ Compensation or WC Exemption Registration as [Construction Services Provider](#); Experience and Reference from past Client, Employer or Codes I.
- Fee: \$250 initial licensing fee (may qualify for low-income waiver).

Renewal Requirements

- Renewal required every two years.
- Pay \$200 renewal fee.
- Insurance for GL and WC or Exemption; Financial statement (may be self-prepared) .
- Beginning January 2022, residential licensed contractors are required to obtain eight hours of continuing education.

Licensing Agency:

Tennessee Department of Commerce and Insurance
500 James Robertson Pkwy, Nashville, TN 37243-0565
(615)-741-8307

Email: Ask.TDCI@TN.Gov

[Website](#)

How will having a criminal record affect getting a license?

Applicants are required to disclose felony convictions with written statement explaining conviction: age at time of conviction; description of crime; activities that lead to conviction; improvements and changes or clean criminal history since conviction; copy of the official charging document (court order); probation or parole status; character reference; and Background Report of Tennessee Criminal History from Tennessee Bureau of Investigation (TBI).

License denial due to felony convictions would require the licensing authority to demonstrate conviction is related to the applicable occupation, profession, business, or trade.

License Approval - It takes approximately four to six weeks to be granted a license (do NOT contract, bid or offer prior to obtaining a license). Board review and approval is required and this is at their regularly scheduled meetings (see Public Meeting Information for dates). An appearance or interview with the Board may be waived as long as there is not a complaint history, conviction, or judgment by any of the individuals or qualifying agents applying for a license; or for ones who did not take the exams, such as the BC-A/r (restricted limited residential license); and if there is not any experience provided. If an interview is required, the qualifying agent and the owner (if different) must both appear.

Interview Not Waived - You will be notified in writing of date, time and location to appear. These meetings are held held in January, March, May, July, September and in November.



HEATING, VENTILATION AND AIR CONDITIONING (HVAC) ———

Training available at the following institutions: TCAT Chattanooga, TCAT Covington, TCAT Crossville, TCAT Crump, TCAT Elizabethton, TCAT Jackson, TCAT Knoxville, TCAT Livingston, TCAT McKenzie, TCAT McMinnville, TCAT Memphis, TCAT Morristown, TCAT Murfreesboro, TCAT Nashville, TCAT Newbern, TCAT Pulaski, TCAT Shelbyville, TCAT Whiteville

Licensing Requirements ([Rule 0780](#))

- Required to perform work on a project where the cost is less than \$25,000.
- To obtain [permits](#) for inspections by the State Fire Marshal's office for HVAC or Electrical work, requires a license as a Limited Licensed Electrician (LLE).
- Must successfully pass LLE licensure examination.
 - > [Examination information](#).
 - > \$53 examination fee.
- Submit [Application](#).
 - > Fee is \$50 payable to State of Tennessee (may apply online and pay by debit/credit card).

Renewal Requirements

- Renewal required every two years.
- Pay \$50 renewal fee.

Agency

Tennessee Department of Commerce and Insurance

Phone: (615) 741-8307

Address: 500 James Robertson Pkwy, Nashville, TN 37243-0565

[Website](#)

Email: Ask.TDCI@TN.Gov

How will having a criminal record affect getting a license?

Required to disclose felony convictions with written statement explaining conviction: age at time of conviction; description of crime; activities that lead to conviction; improvements and changes or clean criminal history since conviction; copy of the official charging document (court order); probation or parole status; character reference; and Background Report of Tennessee Criminal History from Tennessee Bureau of Investigation (TBI)

Rights & Appeals – [Fresh Start Act 62-76-104](#)

License denial due to felony convictions would require the licensing authority to demonstrate conviction is related to the applicable occupation, profession, business or trade.

INSURANCE SALES AGENT

Entry level positions for this position may not require more than a high school diploma. Improve your odds at finding a job with the following programs. Training available at the following institutions:

Administrative Office Technology - TCAT Athens, TCAT Chattanooga, TCAT Covington, TCAT Crossville, TCAT Crump, TCAT Dickson, TCAT Elizabethton, TCAT Harriman, TCAT Hohenwald, TCAT Jacksboro, TCAT Jackson, TCAT Knoxville, TCAT Livingston, TCAT McKenzie, TCAT Memphis, TCAT Morristown, TCAT Murfreesboro, TCAT Nashville, TCAT Oneida, TCAT Paris, TCAT Pulaski, TCAT Shelbyville

Business Administration AS - Available at ANY TBR Community College.

Licensing Requirements

- Be at least 18 years of age.
- Reside in Tennessee.
- Complete a pre-licensing course of study thru an [approved education provider](#) for each line of insurance for which an insurance license is requested.
 - > Number of Hours: Life (20); Accident & Health (20); Property (20); Casualty (20); Title (20); Personal Lines (20).
- Pass a written examination upon completion of the pre-licensing course.
- Submit [Fingerprint-Based Criminal Background Check](#) with license application.
- Pay \$50 application and filing fee.
- Application [here](#).

Renewal Requirements

- Renewal required every two years.
- Satisfactorily complete 24 credit hours of study in approved courses, programs of instruction or seminars in conjunction with the license renewal cycle.
 - > Three of the hours must be in ethics.

Agency

Tennessee Department of Commerce and Insurance

Phone: 1-(888)-416-0868 or (615)-741-2693

Fax: 615-532-2862

Address: 500 James Robertson Parkway, Nashville, TN 37243

Email: ce.agent.licensing@tn.gov

[Website](#)

How will having a criminal record affect getting a license?

- Fingerprint-Based Criminal Background Check required.
- Must be considered "competent, trustworthy, financially responsible, and [have] a good business reputation".

LIMITED LICENSE PLUMBER (LLP)

Training available at the following institutions: Nashville State, Chattanooga State, Pellissippi State, TCAT Crossville, TCAT Dickson, TCAT Harriman, TCAT Hartsville, TCAT Hohenwald, TCAT Livingston, TCAT Memphis, TCAT Morristown, TCAT Murfreesboro, TCAT Nashville, TCAT Oneida, TCAT Pulaski

Required to perform work on a project where the cost is less than \$25,000

Licensing Requirements ([TCA 62-6-406](#)):

- One year of plumbing experience.
- Register and pass the [LLP exam](#) at a cost of \$53 .
- [Permits and Inspections](#) are performed by state Fire Marshal's office.
- Complete the [LLP application](#).
 - > Attach written statement explaining felony conviction (if applicable).
- Pay \$75 application fee (may qualify for low income waiver).

Renewal Requirements

- Complete online renewal.
- Pay \$50 renewal fee.

Agency

Tennessee Department of Commerce and Insurance

Phone: (615) 741-8307

Address: 500 James Robertson Pkwy, Nashville, TN 37243-0565

[Website](#)

Email: Ask.TDCI@TN.Gov

Criminal Record or Related Restrictions

Required to disclose felony convictions with written statement explaining conviction: age at time of conviction; description of crime; activities that lead to conviction; improvements and changes or clean criminal history since conviction; copy of the official charging document (court order); probation or parole status; character reference; and Background Report of Tennessee Criminal History from Tennessee Bureau of Investigation (TBI).

Rights & Appeals – [Fresh Start Act 62-76-104](#)

License denial due to felony convictions would require the licensing authority to demonstrate conviction is related to the applicable occupation, profession, business or trade.

MASSAGE THERAPIST

Training available at the following institution: TCAT Chattanooga

Licensing Requirements

- Be at least 18 years old.
- Complete curriculum of one or more post-secondary academic institutions for massage, bodywork or somatic therapy totaling 500 hours or more.
 - > Institutions must be board approved and either authorized by the Tennessee higher education commission or its equivalent in other states.

Note: individual institutions may have heightened admission requirements.

- Pass a competency examination approved by the board.
- Pay all required fees.

Renewal Requirements

- Complete license renewal form at www.core.tn.gov.
- Pay renewal fee of \$60.
- Form and fee must be submitted before the expiration date listed on the license.

Agency

Department of Commerce & Insurance

Contact – Call (615)-741-2241; address 500 James Robertson Pkwy, Nashville, TN 37243-0565; Test Center – call 800-733-9267

[Website](#)

How will having a criminal record affect getting a license?

- [T. C. A. § 63-18-105](#): No person or establishment shall be issued a license until the applicant and each person engaged in massage at such massage establishment has provided evidence satisfactory to the board that to the board that the applicant has not been convicted of the offense of prostitution or sexual misconduct.



NURSING

Training available at the following institutions:

Nursing Aide - TCAT Crossville, TCAT Elizabethton, TCAT Harriman, TCAT Newbern, TCAT Oneida, TCAT Pulaski, TCAT Shelbyville, TCAT Hartsville, TCAT Jacksboro, TCAT Knoxville, TCAT Livingston, TCAT Memphis

Practical Nursing - TCAT Athens, TCAT Chattanooga, TCAT Covington, TCAT Crossville, TCAT Crump, TCAT Dickson, TCAT Elizabethton, TCAT Harriman, TCAT Hartsville, TCAT Hohenwald, TCAT Jacksboro, TCAT Jackson, TCAT Knoxville, TCAT Livingston, TCAT McMinnville, TCAT Memphis, TCAT Morristown, TCAT Murfreesboro, TCAT Nashville, TCAT Newbern, TCAT Oneida, TCAT Paris, TCAT Ripley, TCAT Shelbyville, TCAT Whiteville

Nursing - Chattanooga State, Cleveland State, Columbia State, Dyersburg State, Jackson State, Motlow State, Nashville State, Northeast State, Pellissippi State, Roane State, Southwest Tennessee State, Volunteer State, Walters State

Summary of Requirements

Requirements will vary depending on level of nursing pursued, but any level of nursing will require training, certification/licensure, and a criminal background check with the state of Tennessee.

Licensing Agency

Tennessee Board of Nursing

Nursing.health@tn.gov

665 Mainstream Dr; Nashville, TN 37243

CNA (615 532-5171/ LPN (615) 532-5166

How will having a criminal record affect getting a license?

The mission of the board of nursing is public protection. Each situation is reviewed individually; the outcome depends on the circumstances and the composition and position of the board at the time of application. An applicant with a felony conviction may be issued a single state license; the board may deny licensure if there is a danger to the public.

RN Rule 1000-01-.13 (2) speaks to criminal conviction history (begins on page 27): <https://publications.tnsosfiles.com/rules/1000/1000-01.20190805.pdf>

LPN Rule 1000-01-.13 (2) speaks to criminal conviction history (begins on page 26): <https://publications.tnsosfiles.com/rules/1000/1000-02.20190805.pdf>

CNA requires certification rather than licensure. The Nurse Aide Registry is housed administratively under Health Care Facilities as all of the laws and regulations that govern the registry fall under Nursing Home care.

The TN law related to background checks is located at TCAA 68-11-256 titled "Criminal background checks on direct care employees of nursing homes". There is no restriction on actual certification as a nurse aide except placement on the Registry of Persons Who Have Abused, Neglected or Misappropriated the Personal Property of a Vulnerable Individual (TCA 68-11-1001, et seq). The final decision rests with the employer; the employer is held harmless if they refuse to hire an individual with a prior conviction.

Because nursing is an incredibly in-demand occupation, admission to education has become competitive. It is recommended that any prior convictions are expunged prior to application to any nursing training program.

NURSING HOME ADMINISTRATOR

Training available at the following institution: Nashville State

Licensing Requirements

- Be of good moral character.
- Be at least 18 years of age.
- Submit a certificate indicating that the applicant has obtained high school or secondary school equivalency.
- Complete preliminary education satisfactory to the board.
- List of schools can be found [here](#).
- Has paid a nonrefundable application fee of \$460 no later than fifty (50) days in advance of the next scheduled examination.
- Complete application found [here](#).

Renewal Requirements

- Certificates of registration expire each odd-numbered year.
- Submit an application for a new certificate and a biennial renewal fee.

Licensing Agency

Tennessee Department of Health

Phone: (615) 532-5090

Email: Unit3HRB.Health@tn.gov

Address: 665 Mainstream Drive, 2nd Floor, Nashville, TN 37243

Website: <https://www.tn.gov/health/health-program-areas/health-professional-boards/nha-board/nha-board.html>

How will having a criminal record affect getting a license?

- Application asks the following question:
 - > Have you ever been convicted (including a nolo contendere plea or guilty plea) of a felony or misdemeanor (other than a minor traffic offense) whether or not a sentence was imposed or suspended?



PARALEGAL

Training available at the following institutions: Pellissippi State, Roane State, Nashville State, Chattanooga State, Walters State

Summary of Requirements:

While there is not currently a requirement for licensure or certification in order to work as a paralegal in the state of Tennessee, earning a degree in paralegal studies and completing a national certification exam may set job applicants apart by demonstrating competence within the field.

Licensing Agency:

- The [PACE](#) offered by the [National Federation of Paralegal Associations \(NFPA\)](#).
- The [PCC](#) also offered by National Federation of Paralegal Associations (NFPA).
- The [CLA/CP](#) offered by the [National Association of Legal Assistants \(NALA\)](#).
- The [PP](#) offered by the [Association for Legal Professionals \(NALS\)](#).

How will having a criminal record affect getting a license?

Ultimately, a paralegal will report to a lawyer who is responsible for the work performed by the paralegal. It is the employing lawyer's discretion to determine whether or not to hire a prior justice-involved individual.

PHLEBOTOMIST

Training available at the following institutions: TCAT Elizabethton, TCAT Murfreesboro, TCAT Nashville

Summary of Requirements:

Completion of registered training program to include a minimum of 40 hours of clinical training, and national certification.

Licensing Agency:

Varies depending on training program. Some certification organizations include:

<https://www.ascp.org/content/board-of-certification/get-credentialed>

<https://www.nhanow.com/certifications/phlebotomy-technician>

How will having a criminal record affect getting a license?

See Certified Nursing Assistant.

PHYSICAL THERAPIST ASSISTANT

Training available at the following institutions: Chattanooga State, Jackson State, Roane State, Southwest Tennessee State, Volunteer State, Walters State

Licensing Requirements

- Earn a degree from a professional and accredited physical therapy assistance program.
- File application with the Board of Physical Therapy.
- Pass the physical therapist assistant exam.

Renewal Requirements

Renewal due at individual license expiration.

Agency - Tennessee Department of Health

Phone: (615) 532-3202

Address: 665 Mainstream Drive, 2nd Floor, Nashville, TN 37243

Contact: unit2hrb.health@tn.gov or message.health@tn.gov

[Website](#)

How will having a criminal record affect getting a license?

- [T. C. A. § 63-13-307](#): (a) The board has the power, and it shall be its duty, to deny, suspend or revoke the license of, or to otherwise lawfully discipline, a licensee who is guilty of violating any of this part or is guilty of the following acts or offenses:
 - > Conviction of a felony or any offense involving moral turpitude in the courts of this state or any other state, territory or country. "Conviction," as used in this subdivision (a)(7), includes a finding or verdict of guilt or a plea of nolo contendere;

Rights & Appeals – Fresh Start Act 62-76-104

- An individual, applicant, licensee, certificate holder, or registrant who receives written notice pursuant to subdivision (b)(2) or (b)(3) may file a petition within thirty (30) business days of the receipt of the notice in Davidson County chancery court. The licensing authority must demonstrate by a preponderance of the evidence that the individual, applicant, licensee, certificate holder, or registrant's conviction is related to the applicable occupation, profession, business, or trade.



RADIOLOGIC TECHNOLOGIST

Training available at the following institutions: Chattanooga State, Columbia State, Jackson State, Roane State, Southwest Tennessee State, Volunteer State

Licensing Requirements

- High school diploma or GED certificate.
- Pay application fee of \$100.

Renewal Requirements

- Renewal required every two years.
- Pay renewal fee of \$50.

Licensing Agency

Tennessee Department of Commerce and Insurance

Phone: (615) 741-4827

Address: 500 James Robertson Pkwy, Nashville, TN 37243-0565

[Website](#)

How will having a criminal record affect getting a license?

- [Good moral character](#) (TCA 62-26-217), subject to appeal under Fresh Start Act (“(a) The commission may suspend, revoke, or refuse to issue or renew any license under this part upon finding that the holder or applicant has: practiced fraud, deceit or misrepresentation; been convicted by a court of competent jurisdiction of a felony or misdemeanor. However, an action taken under this subdivision (a)(4) shall be subject to the applicable provisions of the Fresh Start Act that are compiled in chapter 76, part 1 of this title”).



REAL ESTATE AGENT

Training sometimes available at the following institutions through Continuing Education:
Chattanooga State, Nashville State, Jackson State, Volunteer State, Walters State

Licensing Requirements

- Be at least 18 years of age.
- Been a Tennessee resident for at least 45 days.
- Have a high school diploma or General Education Diploma (GED).
- Complete 60 hours of approved real estate education and 30 hour "Course for New Affiliates" within six months of licensure.
- Pass the real estate exam.
- Complete sworn statement with affiliated broker, in the broker's opinion, the you are honest and trustworthy and the broker will actively supervise and train you during the period the license remains in effect.
- Pay \$91 for initial licensure.

Renewal Requirements

- Renewal required every two years.
- 16 hours of continuing education.
- Pay \$80 renewal fee.

Agency

Department of Commerce & Insurance

Phone: (615)-741-227

Address: 500 James Robertson Pkwy, Nashville, TN 37243

[Website](#)

How will having a criminal record affect getting a license?

- Anyone on parole or probation is prevented from exam scheduling unless two years have passed from the date of expiration of probation, conviction, or release from incarceration, whichever is later.
- Good Moral Character Clause in [T. C. A. § 62-13-303](#): Licenses will be granted only to persons who have a good reputation for honesty, trustworthiness, integrity and competence to be in the business of broker, affiliate broker or time-share salesperson in a manner to safeguard the interest of the public and only after satisfactory proof of such qualifications has been presented to the commission.
- Prior to taking or completing pre-license education and/or the licensing examination, may petition the Commission by submitting this [form](#).
 - > Includes question: "Have you been convicted of or pled nolo contendere or guilty to any felony or a misdemeanor involving the theft of services, money or property within the last 10 years?"
NOTE: Reckless Driving and/or DUI are misdemeanors and must be disclosed.
 - > If yes, the Commission requires a certified copy of the conviction record in addition to an affidavit providing details of each charge

REAL ESTATE BROKER

Training sometimes available at the following institutions through Continuing Education: Chattanooga State, Nashville State, Jackson State, Volunteer State, Walters State

Licensing Requirements

- Be at least 18 years of age.
- Been a resident of Tennessee for at least 45 days.
- Must have an Associate Degree from an accredited academic institution or similarly recognized institution.
- Previously held an affiliate broker license for three years (or two years if a baccalaureate degree with a major in real estate).
- 120 classroom hours of approved real estate training, with 30 hours being "Office/Broker Management".
- Licensure exam.
- Pay \$185.65 fee.
- Renewal Requirements.
- Renewal required every two years.
- 16 hours of continuing education.
- Pay \$80 renewal fee.

Agency

Department of Commerce & Insurance

Contact - Call (615)-741-2273

Address: 500 James Robertson Pkwy, Nashville, TN 37243

[Website](#)

How will having a criminal record affect getting a license?

- Anyone on parole or probation is prevented from exam scheduling unless two years have passed from the date of expiration of probation, conviction, or release from incarceration, whichever is later.
- Good Moral Character Clause in [T. C. A. § 62-13-303](#): Licenses will be granted only to persons who have a good reputation for honesty, trustworthiness, integrity and competence to be in the business of broker, affiliate broker or time-share salesperson in a manner to safeguard the interest of the public and only after satisfactory proof of such qualifications has been presented to the commission.
- Prior to taking or completing pre-license education and/or the licensing examination, may petition the Commission by submitting this [form](#).
 - > Includes question: "Have you been convicted of or pled nolo contendere or guilty to any felony or a misdemeanor involving the theft of services, money or property within the last 10 years?"
NOTE: Reckless Driving and/or DUI are misdemeanors and must be disclosed.
 - > If yes, the Commission requires a certified copy of the conviction record in addition to an affidavit providing details of each charge.

SECURITY ALARM TECHNICIAN

Training for this occupation does not require a post-secondary degree. However, you can access information regarding approved education courses [here](#).

Licensing Requirements

- Submit initial registered employee application found [here](#).
- Fingerprints, electronically scanned.
- Passport-style photos.
- Criminal history disclosure.
- Pay fee of \$100.
- Be at least 18 years of age.
- Be of good moral character.
- Secure employment with a licensed Alarm Contractors Company.
- Complete Level 1 or equivalent training within one year of licensure.

Renewal Requirements

- Renewal required every two years for a fee of \$75.

Agency

Tennessee Department of Commerce and Insurance

Phone: (615)-741-9771

Email: alarm.systems.contractors@tn.gov

Address: 500 James Robertson Parkway, Nashville, TN 37243

[Website](#)

How will having a criminal record affect getting a license?

- [T. C. A. § 62-32-319](#) - (d) The board may refuse to issue a certification or license to any person, firm or corporation for lack of financial stability, misconduct, gross negligence, lack of expertise, submission of false evidence with regard to application of license or renewal, conviction of a felony and any other conduct that constitutes improper, fraudulent or dishonest dealing or violation of this part.
- "Good moral character": An individual does not have good moral character if:
 - > (a) Conviction by any local, state, federal or military court of any crime involving the illegal use, possession, sale, manufacture, distribution or transportation of a controlled substance, controlled substance analogue, drug or narcotic; (b) Conviction of a crime involving felonious assault; (c) Conviction of a crime involving unlawful breaking or entering, burglary, larceny or arson; (d) Conviction as an habitual criminal; or (e) An addiction to alcohol or a narcotic drug;

CHILD, FAMILY AND SCHOOL SOCIAL WORKER

Training available at the following institutions:

[Tennessee Transfer Pathways Associate of Science in Social Work](#). Please note that this will transfer to any four-year, state university to complete the required Bachelor's.

Licensing Requirements

- Be at least 18 years of age.
- Bachelor's degree in social work (BSW) from a school accredited by the Council of Social Work Education (CSWE).
- Satisfy training requirements: 50 hour approved education program and obtain education certificates consisting of 16 hours Basic Fundamental Instruction and 34 hours classroom or online instruction.
- Satisfy application requirements including a completed and signed application.
- Fees of \$110 (\$50 application fee plus \$50 license fee plus \$10 state regulatory fee) payable to the Board of Social Worker Licensure, passport-style photograph, notarized [Declaration of Citizenship form](#), Completed Mandatory Practitioner Profile [Questionnaire](#).
- Satisfy examination requirements: must pass Association of Social Work Boards exam (test fee \$230).
- Pay \$225 initial license fee.

Renewal Requirements

- Renewal required every two years.
- LBSWs must complete nine hours of continuing education per year. Four hours must be in social work, three hours must be in professional ethics, and an additional two hours can be in either of those categories.
- Pay \$45 renewal fee.

Licensing Agency

TN Board of Social Workers

Contact: (615)-741-5735 local or 1-(800)-778-4123 nationwide

Address: 665 Mainstream Drive, 2nd Floor, Nashville, TN 37243

[Website](#)

How will having a criminal record affect getting a license?

- T.C.A. § 63-23-108. License; denial, suspension or revocation; grounds:
 - > Conviction of a felony under federal or state law involving use, misuse, possession or sale of any controlled substance or controlled substance analogue;
 - > Conviction of a felony in the courts of this state or any other state, territory or country that, if committed in this state, would be a felony:

- > The record of conviction in a court of competent jurisdiction is sufficient evidence for disciplinary action to be taken as may be considered proper by the board. For the purpose of this chapter, a conviction is considered to be a conviction that has been upheld by the highest appellate court having jurisdiction, or a conviction upon which the time for filing an appeal has passed; and
- > A record of conviction upon charges that involve unlawful practice. Based upon the record of conviction, without any other testimony, the board may take temporary disciplinary action even though an appeal for review by a higher court may be pending;

- Application contains the following questions:

- > Have you ever been convicted (including a nolo contendere plea or guilty plea) of a felony or misdemeanor (other than a minor traffic offense) whether or not a sentence was imposed or suspended?

Rights and Appeals – Fresh Start Act 62-76-104

Social Worker not included in exemptions

An individual, applicant, licensee, certificate holder, or registrant who receives written notice pursuant to subdivision (b)(2) or (b)(3) may file a petition within 30 business days of the receipt of the notice in Davidson County chancery court. The licensing authority must demonstrate by a preponderance of the evidence that the individual, applicant, licensee, certificate holder, or registrant's conviction is related to the applicable occupation, profession, business, or trade.



TEACHING

Training available at the following institutions:

Tennessee Transfer Pathways AST available at all community college locations. Please note that this will transfer to any four-year, state university to complete the required Bachelor's.

Summary of Requirements:

The practitioner license is valid for three years and may be renewed once. Tennessee offers a practitioner license in many [endorsement areas](#), allowing individuals to serve as classroom teachers. At a minimum, candidates interested in the practitioner teacher license must:

- Be at least 18 years old;
- Hold a bachelor's degree from a regionally-accredited college or university;
- Be enrolled in or have completed an approved educator preparation program, and be recommended for licensure by the program provider;
- Meet all professional assessment requirements as specified by the State Board of Education ([required assessment information can be found here](#));
- Meet requirements in at least one area of endorsement; **and**
- Ensure that the department has official transcripts of all credits earned through an institution of higher education.

Licensing Agency

Office of Educator Licensure and Preparation

Educator.licensure@tn.gov

710 James Robertson Pkwy; Nashville, TN 37243

(615) 532-4885

How will having a criminal record affect getting a license?

See applicable law [here](#):

- Upon receipt of a Director's Report, SBE staff reviews the report and, if appropriate, adds a hold to the educator's file (license or license application) in the state of Tennessee's educator licensure database (TN Compass). Educators with a hold still maintain an active educator license, and a hold on an educator's license does not prohibit an educator from being employed; however, before hiring new teachers, LEAs may contact the State Board to determine the reason for the hold.
- Board counsel obtains a certified copy of the criminal record showing the conviction for one of the offenses at T.C.A. § 39-13-532, § 39-17-417, or § 40-35- 501(i)(2) (including conviction for the same or similar offense in any jurisdiction), or a report from the Department of Children's Services (DCS) that verifies the identity of the licensed educator and states that DCS has found the educator to have been a perpetrator of child abuse, severe child abuse, child sexual abuse, or child neglect as stated in T.C.A. § 49-5-413.
- Upon receipt of a report from the National Association of State Directors of Teacher Education and Certification (NASDTEC) national clearinghouse, or an applicant for a license indicates an affirmative answer on the personal affirmation section of the application for a Tennessee educator license, the OELP sends a report to Board Counsel and Board counsel adds a hold to the educator's

license TENNESSEE STATE BOARD OF EDUCATION LICENSE DENIAL, FORMAL REPRIMAND, SUSPENSION, & REVOCATION 5.501 Adopted: 11/03/2006 Page 4 of 8 Revised: 05/29/2020 file (license or license application) in the state's educator licensure database (TN Compass). Licensed educators with a hold still maintain an active educator license, and a hold on an educator's TN Compass file does not prohibit an educator from being employed; however, before hiring new teachers, LEAs may contact the State Board to determine the reason for any hold.

- Issuance or reactivation of a license.
 - > Issuance or reactivation of a license is considered on a case-by-case basis. The burden of proof rests with the applicant.
 - > An applicant shall, by a preponderance of the evidence, show why the license should be issued or reactivated despite the applicant's affirmative answers to the personal affirmation questions on his or her application. In the case of a felony conviction, the applicant shall also show that any sentence imposed, including any pre-trial diversion or probationary period, has been completed. Applications may be denied if an action against the applicant's educator license has been taken or is pending in another state.



TRANSIT CITY BUS DRIVER (COMMERCIAL DRIVER'S LICENSE)–

Training available at the following institutions: TCAT Chattanooga, TCAT Crossville, TCAT Jackson, TCAT Knoxville, TCAT Memphis, TCAT Newbern, TCAT Oneida, TCAT Shelbyville

Licensing Requirements

- Be at least 21 years of age.
- Proof of Department of Transportation medical card.
- Tennessee driver's license, or a valid driver's license or CDL from another state.
- Proof of residency in Tennessee (through documentation or immediate relatives).
- Pass CDL [general knowledge test](#) to earn learner's permit.
- Retain permit for at least 14 days.
- Pass additional endorsement test ([c\(2\) Passenger - knowledge & skills test](#)).
- Schedule and pass the CDL skills test by calling (615) 502-4179.

Renewal Requirements

- Upon expiration of CDL.

Licensing Agency

Department of Safety and Homeland Security

Phone: (615)-251-5166

Address: 312 Rosa L. Parks Avenue, Nashville, TN 37243

Email: Email.Safety@tn.gov

[Website](#)

How will having a criminal record affect getting a license?

- Subject to [TSA Background Check](#): Conviction for one of the following felonies is disqualifying if the applicant was released from incarceration after conviction within five years of the date of the application:
 - > Unlawful possession, use, sale, manufacture, purchase, distribution, receipt, transfer, shipping, transporting, delivery, import, export of, or dealing in a firearm or other weapon. A firearm or other weapon includes, but is not limited to, firearms as defined in 18 U.S.C. 921(a)(3) or 26 U.S.C. 5 845(a), or items contained on the U.S. Munitions Import List at 27 CFR 447.21.
 - > Extortion.
 - > Dishonesty, fraud, or misrepresentation, including identity fraud and money laundering, where the money laundering is related to a crime listed in Parts A or B (except welfare fraud and passing bad checks).
 - > Bribery.
 - > Smuggling.
 - > Immigration violations.
 - > Distribution, possession w/ intent to distribute, or importation of a controlled substance.

- > Arson.
- > Kidnapping or hostage taking.
- > Rape or aggravated sexual abuse.
- > Assault with intent to kill.
- > Robbery.
- > Fraudulent entry into a seaport as described in 18 U.S.C. 1036, or a comparable State law.
- > Violations of the Racketeer Influenced and Corrupt Organizations (RICO) Act under 18 U.S.C. 1961, et seq., or a comparable state law, other than any permanently disqualifying offenses.
- > Voluntary manslaughter.
- > Conspiracy or attempt to commit crimes in this section.

Rights and Appeals – Fresh Start Act 62-76-104

An individual, applicant, licensee, certificate holder, or registrant who receives written notice pursuant to subdivision (b)(2) or (b)(3) may file a petition within 30 business days of the receipt of the notice in Davidson County chancery court. The licensing authority must demonstrate by a preponderance of the evidence that the individual, applicant, licensee, certificate holder, or registrant's conviction is related to the applicable occupation, profession, business, or trade.



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