**Section 1480.393 Consideration of Past Crimes in Disciplinary Hearings**

*When considering the suspension or revocation of a license or recovery permit on the grounds of conviction of a crime, the Commission, in evaluating the rehabilitation of the applicant and the applicant's present eligibility for a license or recovery permit, shall consider each of the following criteria:*

a) *The nature and severity of the act or offense.*

b) *The license holder's or recovery permit holder's criminal record in its entirety.*

c) *The amount of time that has lapsed since the commission of the act or offense*.

d) *Whether the license holder or recovery permit holder has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against him or her* as of the date of the hearing, as evidenced by:

1) Satisfactory termination of the license or recovery permit holder's sentence;

2) License or recovery permit holder's compliance with all requirements and conditions of parole, probation, conditional discharge, term of imprisonment or any other lawfully imposed sentence;

3) License or recovery permit holder's compliance with paying any fees, fines, court costs or restitution imposed by the court as part of the sentence.

e) *If applicable, evidence of expungement proceedings.*

f) *Evidence, if any, of rehabilitation submitted by the license holder or recovery permit holder* [225 ILCS 422/85] such as:

1) Bestowment onto the license or recovery permit holder of certifications or commendations subsequent to a *conviction for a crime under the laws of the United States or any state or territory of the United States that is a felony, a misdemeanor an essential element of which is dishonesty, or a crime related to the practice of the profession* [225 ILCS 422/80] that demonstrate a decrease in propensity toward the behavior that previously caused the applicant to become convicted;

2) License or recovery permit holder's successful participation in special programs or counseling groups designed to decrease the propensity toward the behavior that previously caused the applicant to become *convicted of a crime under the laws of the United States or any state or territory of the United States that is a felony, a misdemeanor an essential element of which is dishonesty, or a crime related to the practice of the profession* [225 ILCS 422/80].

(Source: Added at 38 Ill. Reg. 5821, effective March 14, 2014)