



American Board of Psychiatry and Neurology, Inc.

A Member Board of the American Board of Medical Specialties (ABMS)

Diplomates Convicted of a Felony

This policy applies in instances where a Diplomate currently satisfies the ABPN's [licensure policy](#), but has been convicted of a felony in either a state or federal court, regardless of whether the felony was imposed by an adjudicated verdict or order, agreed order, non-contested order, consent order, agreement, stipulation, settlement, or plea agreement.

In such instances, the ABPN will send out a written notice of the apparent application of this policy and allow time for a response and any other due process the Committee deems necessary. Thereafter, each such instance will be evaluated by the appropriate Board Committee, without any Diplomate right to a hearing or the Diplomate or Diplomate's representative to be present, to determine whether to declare the certificate(s) invalid with the Diplomate losing their diplomate status in all specialties and subspecialties for which the individual has received a certificate from the Board. The Committee may consider the context of actions taken by prosecutors and may choose not to act if the Committee concludes that the felony conviction was based entirely on professional actions that do not breach professional norms. The Board Committee's determination shall be final with no right of appeal.

So long as the individual is in compliance with the Board's other policies, including the [licensure policy](#), once the individual has fully complied with any and all imposed penalties due to the felony(ies) the individual may request from the Board the opportunity to re-attain certification(s). The Board shall have the sole power and discretion to determine: (i) whether an individual shall be granted the opportunity to re-attain certification; (ii) when the individual may initiate the process to re-attain certification; and (iii) the manner, process, terms and conditions by which certification may be re-attained (which may include, among other things, re-applying and sitting for examinations and/or meeting current continuing certification requirements). In all events, if an individual successfully reattains their Diplomate status(es), the type of certificate(s) issued will be the same as certificates then being issued by the Board (e.g., time-limited), irrespective of the type of certificate previously invalidated (e.g., lifetime certificates).

However, conviction of certain types of felonies shall foreclose the opportunity to re-attain ABPN certification in perpetuity. Such felonies include any state or federal violent felony, defined as crimes committed with the use, or threat of use, of violence or bodily harm. Violent felonies include, without limitation, murder or attempted murder crimes, rape crimes, human trafficking crimes, robbery crimes, assault and battery crimes, DUI offenses in which another person was injured or killed, or any crime committed in possession of a weapon. Such felonies also include those relevant to the Diplomate's practice of medicine or medical professionalism including, without limitation, any felony committed against a current or former patient, fraud, embezzlement, or antitrust related to their professional practice, drug trafficking or distribution, or child pornography.