

What is a Disqualifying Offense?

A disqualifying offense is a specific offense which prevents an applicant from receiving a background check clearance. If an applicant is found to have a disqualifying offense listed below, they will be issued an unconditional denial and not allowed to provide services or receive licensure or certification.

Disqualifying Offenses – Permanent

Having any of these items on your record prevents you from passing the background check permanently.

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| <ul style="list-style-type: none">• Abuse, Neglect, or Exploitation of a Vulnerable Adult• Abandoning a Vulnerable Adult• Sexual Abuse and Exploitation of a Vulnerable Adult• Aggravated, First-Degree and Second-Degree Arson• Assault with Intent to Commit a Serious Felony• Battery with Intent to Commit a Serious Felony• Forcible Sexual Penetration by Use of a Foreign Object• Hiring, Employing or Using a Minor to Engage in Certain Acts• Human Trafficking• Incest• Injury to a Child, Felony or Misdemeanor• Kidnapping• Lewd Conduct with a Minor• Mayhem• Voluntary Manslaughter, Involuntary Manslaughter, Felony Vehicular Manslaughter• Murder in Any Degree• Assault with Intent to Commit Murder• Poisoning• Rape, In Any Degree• Robbery• Felony Stalking• Sale or Barter of a Child | <ul style="list-style-type: none">• Ritualized Abuse of a Child• Female Genital Mutilation• Sexual Abuse of a Child• Sexual Exploitation of a Child, Felony• Sexual Battery of a Minor Child Under Sixteen (16) or Seventeen (17) Years of Age• Video Voyeurism• Enticing of Children• Inducing Individuals Under Eighteen (18) Years of Age into Prostitution or Patronizing a Prostitute• Any Felony Punishable by Death or Life Imprisonment• Attempted Strangulation• Domestic Violence, Felony• Aggravated Sexual Battery• Sexual Abuse of An Animal• Sexual Abuse of Human Remains• Attempt, Conspiracy, or Accessory After the Fact, Or Aiding and Abetting to Commit Any of the Disqualifying Offenses• Child Abuse Registry Listing Level 1 or 2• Child Abuse Registry Listing Level 3 (this item is only disqualifying for persons that are seeking Enhanced Clearance)• Negative Finding in the State Certified Nursing Assistance Registry• Inclusion in the State and/or Federal Sex Offender Registry• Inclusion in the Medicare/Medicaid Exclusion List |
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Disqualifying Five –Year Offenses

Having a record of any of these convictions prevents you from passing the background check for five (5) years from the date of conviction.

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| <ul style="list-style-type: none">• Any Felony Not Listed in the Permanent Disqualifying Crimes List• Domestic Violence, Misdemeanor• Failure to Report Abuse, Abandonment or Neglect of a Child• Forgery of and Fraudulent Use of a Financial Transaction Card, Misdemeanor• Forgery and Counterfeiting, Misdemeanor• Identity Theft, Misdemeanor• Insurance Fraud, Misdemeanor | <ul style="list-style-type: none">• Public Assistance Fraud, Misdemeanor• Sexual Battery• Sexual Exploitation by a Medical Care Provider• Sexual Exploitation of a Child by Electronic Means, Felony or Misdemeanor• Stalking in the Second Degree• Vehicular Manslaughter, Misdemeanor• Operating a Certified Family Home Without Certification• Attempt, Conspiracy, Accessory After the Fact, or Aiding and Abetting to Commit Any of the Disqualifying Five (5) Year Crimes |
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Disqualifying Three –Year Offenses

Having a record of any of these convictions prevents you from passing the background check for three (3) years from the date of conviction.

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| <ul style="list-style-type: none">• Controlled Substance – Manufacture, Delivery, or Possession with Intent to Deliver or Manufacture, Felony• Controlled Substance – Paraphernalia, Felony• Operating Vehicle under the Influence of Alcohol, Drugs, or any other Intoxicating Substances, Felony | |
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