

LIST OF PROHIBITED OFFENSES FOR HCBS PROVIDERS

STATUTE NUMBER	PREVIOUS STATUTE NUMBER	PROHIBITED OFFENSE	LEVEL OF CONVICTION PROHIBITED
21-5301	21-3301	Attempt	*See Footnote
21-5302	21-3302	Conspiracy	*See Footnote
21-5401	21-3439	Capital murder	FELONY
21-5402	21-3401	Murder in the first degree	FELONY
21-5403	21-3302	Murder in the second degree	FELONY
21-5404	21-3303	Voluntary manslaughter	FELONY
21-5405	21-3404	Involuntary manslaughter	FELONY
21-5406		Vehicular homicide	MISDEMEANOR
21-5407	21-3406	Assisting suicide	FELONY
21-5408	213420	Kidnapping; aggravated kidnapping	FELONY
21-5409	21-3422	Interference with parental custody; aggravated interference with parental custody	BOTH
21-5410		Interference with custody of a committed person	MISDEMEANOR
21-5411		Criminal Restraint	MISDEMEANOR
21-5412 b,c,d,e	21-3410 21-3411	Assault; aggravated assault; assault of a law enforcement officer; aggravated assault of a law enforcement officer	BOTH
21-5413	21-3413 21-3414	Battery; aggravated battery; battery against certain persons; aggravated battery against certain persons	BOTH
21-5414	21-3412	Domestic battery	BOTH
21-5415	21-3419	Criminal threat; aggravated criminal threat	FELONY
21-5416		Mistreatment of a confined person	MISDEMEANOR
21-5417	21-3437	Mistreatment of a dependent adult; mistreatment of an elder person	BOTH
21-5418		Hazing	MISDEMEANOR
21-5419		Application of certain crimes to an unborn child	** (see below)
21-5420	21-3426	Robbery; aggravated robbery	FELONY
21-5421	213449	Terrorism	FELONY
21-5422	21-3450	Illegal use of weapons of mass destruction	FELONY
21-5423	21-3451	Furtherance of terrorism or illegal use of weapons of mass destruction	FELONY
21-5424	21-3435	Exposing another to life threatening communicable disease	FELONY
21-5425		Unlawful administration of a substance	MISDEMEANOR
21-5426	21-3446	Human trafficking; aggravated human trafficking	FELONY
21-5427	21-3438	Stalking	BOTH
21-5428	21-3428	Blackmail	FELONY
21-5429		Endangerment	MISDEMEANOR
21-5430		Distribution of a controlled substance causing great bodily harm or death	FELONY

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21-5431		Female genital mutilation	FELONY
21-5502		Evidence of complaining witness' previous sexual conduct in prosecutions for certain offenses; motions; notice	** (see below)
21-5503	21-3502	Rape	FELONY
21-5504	21-3505 21-3506	Criminal sodomy; aggravated criminal sodomy	BOTH
21-5505	21-3517 21-3518	Sexual battery; aggravated sexual battery	BOTH
21-5506	21-3503 21-3504	Indecent liberties with a child; aggravated indecent liberties with a child	FELONY
21-5507	21-3522	Unlawful voluntary sexual relations	FELONY
21-5508	21-3510 21-3511	Indecent solicitation of a child; aggravated indecent solicitation of a child	FELONY
21-5509	21-3523	Electronic solicitation	FELONY
21-5510	21-3516	Sexual exploitation of a child	FELONY
21-5511		Adultery	MISDEMEANOR
21-5512	21-3520	Unlawful sexual relations	FELONY
21-5513	21-3508	Lewd and lascivious behavior	BOTH
21-5601	21-3608	Endangering a child; aggravated endangering a child	BOTH
21-5602	21-3609	Abuse of a child	FELONY
21-5603	21-3612	Contributing to a child's misconduct	BOTH
21-5604	21-3602 21-3603	Incest; aggravated incest	FELONY
21-5605	21-3604	Abandonment of a child; aggravated abandonment of a child	FELONY
21-5606		Criminal Non-Support	FELONY
21-5607	21-3610	Furnishing alcoholic liquor or cereal malt beverage to a minor; furnishing alcoholic beverage to a minor for illicit purposes	BOTH
21-5608		Unlawfully hosting minors consuming alcoholic liquor or cereal malt beverage	MISDEMEANOR
21-5609		Bigamy	FELONY
21-5703		Unlawful manufacturing of controlled substances.	FELONY
21-5705		Unlawful cultivation or distribution of controlled substances.	FELONY
21-5706	65-4105, 65-4107, 65-4109, 65-4113, prior conviction of 64- 4162	Unlawful possession of controlled substances	FELONY
21-5707		Unlawful manufacture, distribution, cultivation or possession of controlled substances using a communication facility.	FELONY

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21-5708		Unlawfully obtaining or selling a prescription-only drug.	FELONY
21-5709			FELONY
21-5710		Unlawful distribution of certain drug precursors and drug paraphernalia.	FELONY
21-5713		Unlawful distribution or possession of a simulated controlled substance.	FELONY
21-5714		Unlawful representation that noncontrolled substance is controlled substance.	FELONY
21-5716		Unlawful acts involving proceeds derived from violations of 21-5701 through 21-5717.	FELONY
21-6104		Unlawful disclosure of tax informaton	MISDEMEANOR
21-6325		Unlawful interference with a firefighter	MISDEMEANOR
21-6326		Unlawful interference with an emergency medical services attendant	MISDEMEANOR
21-6401		Promoting obscenity; promoting obscenity to minors	BOTH
21-6418		Permitting a dangerous animal to be at large	MISDEMEANOR
21-6419		Selling sexual relations	MISDEMEANOR
21-6420		Promoting the sale of sexual relations	FELONY
21-6421		Buying sexual relations	BOTH

* Length of prohibition subject to underlying offense

** Definition only