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CHAPTER 30: PERSONAL CARE SERVICES

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**CONVICTIONS BARRING EMPLOYMENT**

Some criminal convictions prevent employment at a Long-Term – Personal Care Service (LT-PCS) provider agency under 42 CFR 441.404 (b) and La. R.S. 40:1203.1 et seq. **There are NO exceptions to these federal and state laws.**

An individual **CANNOT** be employed at an LT-PCS provider agency if they have been convicted of an offense listed below or if the criminal background check indicates an attempt or conspiracy to commit any of the offenses listed below:

1. R.S. 14: 28.1 (solicitation for murder);
2. R.S. 14: 30-30.1 (first and second degree murder);
3. R.S. 14: 31 (manslaughter);
4. R.S. 14: 32.6-32.7 (first and second degree feticide);
5. R.S. 14: 32.12 (criminal assistance to suicide);
6. R.S. 14: 34 (aggravated battery);
7. R.S. 14: 34.1 (second degree battery);
8. R.S. 14:34.7 (aggravated second degree battery);
9. R.S. 14:35.2 (simple battery of the infirmed);
10. R.S. 14:37 (aggravated assault);
11. R.S. 14:37.1 (assault by drive-by shooting);
12. R.S. 14:37.4 (aggravated assault with a firearm);
13. R.S. 14:38.1 (mingling harmful substances);
14. R.S. 14:42 (first-degree rape);
15. R.S. 14:42.1 (second-degree rape);
16. R.S. 14:43 (third-degree rape);

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17. R.S. 14:43.1 (sexual battery);
18. R.S. 14:43.2 (second degree sexual battery);
19. R.S. 14:43.3 (oral sexual battery);
20. R.S. 14:43.5 (intentional exposure to AIDS virus);
21. R.S. 14:44 (aggravated kidnapping);
22. R.S. 14:44.1 (second degree kidnapping);
23. R.S. 14:44.2 (aggravated kidnapping of a child);
24. R.S. 14:46.2 (human trafficking);
25. R.S. 14:51 (aggravated arson);
26. R.S. 14:60 (aggravated burglary);
27. R.S. 14:62.1 (simple burglary of a pharmacy);
28. R.S. 14:64 (armed robbery);
29. R.S. 14:64.1 (first degree robbery);
30. R.S. 14:64.4 (second degree robbery);
31. R.S. 14:66 (extortion);
32. R.S. 14:67 (theft);
33. R.S. 14:67.21 (theft of the assets of an aged person or disabled person);
34. R.S. 14:80 (felony carnal knowledge of a juvenile);
35. R.S. 14:81.2 (molestation of a juvenile or a person with a physical or mental disability);
36. R.S. 14:89 –14:89.1 (crime and aggravated crimes against nature);
37. R.S. 14:93 (cruelty to juveniles);

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- 38. R.S. 14:93.3 (cruelty to the infirmed);
- 39. R.S. 14:93.4 (exploitation of the infirmed);
- 40. R.S. 14:93.5 (sexual battery of the infirmed);
- 41. Distribution or possession with intent to distribute controlled dangerous substances as listed in Schedules I through V of the Uniform Controlled Dangerous Substances Act; and
- 42. All other offenses as stated in 42 CFR 441.404 (b) and LA.R.S. 40:1203.1 et seq.