Disqualifying Offense Affidavit

Employee Name (please print):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ have reviewed and attest that I have not been

convicted or plead guilty to any of the disqualifying offenses listed below from the

Ohio Administrative Code 5123:2-2-02 (E) (1) (a-d). I further acknowledge that I have

not been convicted of or plead guilty to each of these offenses as it pertains to the exclusive time frames that have been determined for each group of offenses.

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| **TIER 1:**  **Permanent** exclusion from working with individuals with disabilities |
| (i) 2903.01 (aggravated murder);  (ii) 2903.02 (murder);  (iii) 2903.03 (voluntary manslaughter);  (iv) 2903.11 (felonious assault);  (v) 2903.15 (permitting child abuse);  (vi) 2903.16 (failing to provide for a functionally impaired person);  (vii) 2903.34 (patient abuse and neglect);  (viii) 2903.341 (patient endangerment);  (ix) 2905.01 (kidnapping);  (x) 2905.02 (abduction);  (xi) 2905.32 (human trafficking);  (xii) 2905.33 (unlawful conduct with respect to documents);  (xiii) 2907.02 (rape);  (xiv) 2907.03 (sexual battery);  (xv) 2907.04 (unlawful sexual conduct with a minor, formerly corruption of a minor);  (xvi) 2907.05 (gross sexual imposition);  (xvii) 2907.06 (sexual imposition);  (xviii) 2907.07 (importuning);  (xix) 2907.08 (voyeurism);  (xx) 2907.12 (felonious sexual penetration);  (xxi) 2907.31 (disseminating matter harmful to juveniles);  (xxii) 2907.32 (pandering obscenity);  (xxiii) 2907.321 (pandering obscenity involving a minor);  (xxiv) 2907.322 (pandering sexually oriented matter involving a minor);  (xxv) 2907.323 (illegal use of minor in nudity-oriented material or performance);  (xxvi) 2909.22 (soliciting/providing support for act of terrorism);  (xxvii) 2909.23 (making terrorist threat);  (xxviii) 2909.24 (terrorism);  (xxix) 2913.40 (Medicaid fraud);  (xxx) 2923.01 (conspiracy), 2923.02 (attempt), or 2923.03 (complicity) when the underlying offense is any of  the offenses or violations described (i) to (xxix);  (xxxi) A conviction related to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial  misconduct involving a federal or state-funded program, excluding the disqualifying offenses set forth in  section 2913.46 of the Revised Code (illegal use of supplemental nutrition assistance program or  women, infants, and children program benefits); or  (xxxii) A violation of an existing or former municipal ordinance or law of this state, any other state, or the  United States that is substantially equivalent to any of the offenses or violations described in (i) to (xxxi). |
| **TIER 2:**  Cannot work with individuals with disabilities for **10** years after being discharged from imprisonment, probation, and parole due to being convicted of one of the following offenses |
| (i) 2903.04 (involuntary manslaughter);  (ii) 2903.041 (reckless homicide);  (iii) 2905.04 (child stealing) as it existed prior to July 1, 1996;  (iv) 2905.05 (criminal child enticement);  (v) 2905.11 (extortion);  (vi) 2907.21 (compelling prostitution);  (vii) 2907.22 (promoting prostitution);  (viii) 2907.23 (enticement or solicitation to patronize a prostitute, procurement of a prostitute for another);  (ix) 2909.02 (aggravated arson);  (x) 2909.03 (arson);  (xi) 2911.01 (aggravated robbery);  (xii) 2911.11 (aggravated burglary);  (xiii) 2913.46 (illegal use of supplemental nutrition assistance program or women, infants, and children  program benefits);  (xiv) 2913.48 (workers' compensation fraud);  (xv) 2913.49 (identity fraud);  (xvi) 2917.02 (aggravated riot);  (xvii) 2923.12 (carrying concealed weapon);  (xviii) 2923.122 (illegal conveyance or possession of deadly weapon or dangerous ordnance in a school safety  zone, illegal possession of an object indistinguishable from a firearm in a school safety zone);  (xix) 2923.123 (illegal conveyance, possession, or control of deadly weapon or dangerous ordnance into  courthouse);  (xx) 2923.13 (having weapons while under disability);  (xxi) 2923.161 (improperly discharging a firearm at or into a habitation or school);  (xxii) 2923.162 (discharge of firearm on or near prohibited premises);  (xxiii) 2923.21 (improperly furnishing firearms to minor);  (xxiv) 2923.32 (engaging in pattern of corrupt activity);  (xxv) 2923.42 (participating in criminal gang);  (xxvi) 2925.02 (corrupting another with drugs);  (xxvii) 2925.03 (trafficking in drugs);  (xxviii) 2925.04 (illegal manufacture of drugs or cultivation of marijuana);  (xxix) 2925.041 (illegal assembly or possession of chemicals for the manufacture of drugs);  (xxx) 3716.11 (placing harmful objects in food or confection);  (xxxi) 2923.01 (conspiracy), 2923.02 (attempt), or 2923.03 (complicity) when the underlying offense is any of  the offenses or violations described in (i) to (xxx); or  (xxxii) A violation of an existing or former municipal ordinance or law of this state, any other state, or the United  States that is substantially equivalent to any of the offenses or violations described in (i) to (xxxi). |

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| **TIER 3:**  Cannot work with individuals with disabilities for **7** years after being discharged from imprisonment, probation, and parole due to being convicted of one of the following offenses |
| (i) 959.13 (cruelty to animals);  (ii) 959.131 (prohibitions concerning companion animals);  (iii) 2903.12 (aggravated assault);  (iv) 2903.21 (aggravated menacing);  (v) 2903.211 (menacing by stalking);  (vi) 2905.12 (coercion);  (vii) 2909.04 (disrupting public services);  (viii) 2911.02 (robbery);  (ix) 2911.12 (burglary);  (x) 2913.47 (insurance fraud);  (xi) 2917.01 (inciting to violence);  (xii) 2917.03 (riot);  (xiii) 2917.31 (inducing panic);  (xiv) 2919.22 (endangering children);  (xv) 2919.25 (domestic violence);  (xvi) 2921.03 (intimidation);  (xvii) 2921.11 (perjury);  (xviii) 2921.13 (falsification, falsification in theft offense, falsification to purchase firearm, or falsification to  obtain a concealed handgun license);  (xix) 2921.34 (escape);  (xx) 2921.35 (aiding escape or resistance to lawful authority);  (xxi) 2921.36 (illegal conveyance of weapons, drugs, or other prohibited items onto grounds of detention facility  or institution);  (xxii) 2925.05 (funding of drug or marihuana trafficking);  (xxiii) 2925.06 (illegal administration or distribution of anabolic steroids);  (xxiv) 2925.24 (tampering with drugs);  (xxv) 2927.12 (ethnic intimidation);  (xxvi) 2923.01 (conspiracy), 2923.02 (attempt), or 2923.03 (complicity) when the underlying offense is any of  the offenses or violations described in (i) to (xxv); or  (xxvii) A violation of an existing or former municipal ordinance or law of this state, any other state, or the United  States that is substantially equivalent to any of the offenses or violations described in (i) to (xxvi). |

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| **TIER 4:**  Cannot work with individuals with disabilities for **5** years after being discharged from imprisonment, probation, and parole due to being convicted of one of the following offenses |
| (i) 2903.13 (assault);  (ii) 2903.22 (menacing);  (iii) 2907.09 (public indecency);  (iv) 2907.24 (soliciting after positive human immunodeficiency virus test);  (v) 2907.25 (prostitution);  (vi) 2907.33 (deception to obtain matter harmful to juveniles);  (vii) 2911.13 (breaking and entering);  (viii) 2913.02 (theft);  (ix) 2913.03 (unauthorized use of a vehicle);  (x) 2913.04 (unauthorized use of property, computer, cable, or telecommunication property);  (xi) 2913.05 (telecommunications fraud);  (xii) 2913.11 (passing bad checks);  (xiii) 2913.21 (misuse of credit cards);  (xiv) 2913.31 (forgery, forging identification cards);  (xv) 2913.32 (criminal simulation);  (xvi) 2913.41 (defrauding a rental agency or hostelry);  (xvii) 2913.42 (tampering with records);  (xviii) 2913.43 (securing writings by deception);  (xix) 2913.44 (personating an officer);  (xx) 2913.441 (unlawful display of law enforcement emblem);  (xxi) 2913.45 (defrauding creditors);  (xxii) 2913.51 (receiving stolen property);  (xxiii) 2919.12 (unlawful abortion);  (xxiv) 2919.121 (unlawful abortion upon minor);  (xxv) 2919.123 (unlawful distribution of an abortion-inducing drug);  (xxvi) 2919.23 (interference with custody);  (xxvii) 2919.24 (contributing to unruliness or delinquency of child);  (xxviii) 2921.12 (tampering with evidence);  (xxix) 2921.21 (compounding a crime);  (xxx) 2921.24 (disclosure of confidential information);  (xxxi) 2921.32 (obstructing justice);  (xxxii) 2921.321 (assaulting/harassing police dog or horse/service animal);  (xxxiii) 2921.51 (impersonation of peace officer);  (xxxiv) 2925.09 (illegal administration, dispensing, distribution, manufacture, possession, selling, or using any  dangerous veterinary drug);  (xxxv) 2925.11 (drug possession other than a minor drug possession offense);  (xxxvi) 2925.13 (permitting drug abuse);  (xxxvii) 2925.22 (deception to obtain dangerous drugs);  (xxxviii) 2925.23 (illegal processing of drug documents);  (xxxix) 2925.36 (illegal dispensing of drug samples);  (xl) 2925.55 (unlawful purchase of pseudoephedrine product);  (xli) 2925.56 (unlawful sale of pseudoephedrine product);  (xlii) 2923.01 (conspiracy), 2923.02 (attempt), or 2923.03 (complicity) when the underlying offense is any of the  offenses or violations described in (i) to (xli); or  (xliii) A violation of an existing or former municipal ordinance or law of this state, any other state, or the United  States that is substantially equivalent to any of the offenses or violations described in (i) to (xlii). |

\*\*An employee with a Tier 4 offense hired prior to 1/1/13 may continue employment if provider attests in writing to his/her positive attributes based on work performance; this decision must be made by 4/1/13; statement must be placed in the employee’s file.

I further acknowledge that a conviction or guilty plea of multiple offenses will lead to an exclusionary period of time working with individuals with developmental disabilities, as determined by Ohio Administrative Code 5123:2-2-02.

I also agree that I will notify my employer with 14 calendar days if, while employed with this agency, I am ever formally charged with, convicted of, or plead guilty to any of the offenses listed or described in paragraph (E) (1) (a-d) of Ohio Revised Code 5123:2-2-02 as noted above. Failure to report formal charges, a conviction or guilty plea may result in me being dismissed from employment.

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**Employee Signature Date**