

## Disqualifying Penal Code Sections For Home Health Aide (HHA) Applicants

If they have been convicted of any of the penal codes listed, HHA applicants will be automatically denied certification.

Certification of applicants with convictions on this list MAY be reconsidered by the Department only if misdemeanor actions have been dismissed by a court of law or a Certificate of Rehabilitation has been obtained for felony convictions. Any other convictions, other than minor traffic violations, must also be reviewed.

### Section

- 187 Murder
- 192(a) Manslaughter, Voluntary
- 203 Mayhem
- 205 Aggravated Mayhem
- 206 Torture
- 207 Kidnapping
- 209 Kidnapping for ransom, reward, or extortion or robbery
- 210 Extortion by posing as kidnapper
- 210.5 False imprisonment
- 211 Robbery (Includes degrees in 212.5 (a) and (b))
- 220 Assault with intent to commit mayhem, rape, sodomy, oral copulation
- 222 Administering stupefying drugs to assist in commission of a felony
- 243.4 Sexual battery (Includes degrees (a) - (d))
- 245 Assault with deadly weapon, all inclusive
- 261 Rape (Includes degrees (a)-(c))
- 262 Rape of spouse (Includes degrees (a)-(e))
- 264.1 Rape or penetration of genital or anal openings by foreign object
- 265 Abduction for marriage or defilement
- 266 Inveiglement or enticement of female under 18
- 266a Taking person without will or by misrepresentation for prostitution
- 266b Taking person by force
- 266c Sexual act by fear
- 266d Receiving money to place person in cohabitation
- 266e Placing a person for prostitution against will
- 266f Selling a person
- 266g Prostitution of wife by force
- 266h Pimping
- 266i Pandering
- 266j Placing child under 16 for lewd act
- 266k Felony enhancement for pimping/pandering
- 267 Abduction of person under 18 for purposes of prostitution 273a Willful harm or injury to a child; (Includes degrees (a)-(c))
- 273d Corporal punishment/injury to a child (Includes degrees (a)-(c))
- 273.5 Willful infliction of corporal injury (Includes (a)-(h))
- 285 Incest

## Section

- 286(c) Sodomy with person under 14 years against will
- 286 (d) Voluntarily acting in concert with or aiding and abetting in act of sodomy against will
- 286(f) Sodomy with unconscious victim
- 286(g) Sodomy with victim with mental disorder or developmental or physical disability
- 288 Lewd or lascivious acts with child under age of 14
- 288(a) Oral copulation
- 288(c) Oral copulation with person under 14 years against will
- 288(d) Voluntarily acting in concert with or aiding and abetting
- 288(f) Oral copulation with unconscious victim
- 288(g) Oral copulation with victim with mental disorder or developmental or physical disability
- 288.5 Continuous sexual abuse of a child (Includes degree (a))
- 289 Penetration of genital or anal openings by foreign object (Includes degrees (a)-0))
- 289.5 Rape and sodomy (Includes degrees (a) and (b))
- 368 Elder or dependent adult abuse; theft or embezzlement of property (Includes (b)-(f))
- 451 Arson (Includes degrees (a)-(e))
- 459 Burglary (Includes degrees in 460 (a) and (b))
- 470 Forgery (Includes (a)-(e))
- 475 Possession or receipt of forged bills, notes, trading stamps, lottery tickets or shares (Includes degrees (a) -(c))
- 484 Theft
- 484b Intent to commit theft by fraud
- 484d-j Theft of access card, forgery of access card, unlawful use of access card
- 487 Grand theft (Includes degrees (a)-(d))
- 488 Petty theft
- 496 Receiving stolen property (Includes (a)-(c))
- 503 Embezzlement
- 518 Extortion
- 666 Repeat convictions for petty theft, grand theft, burglary, carjacking, robbery and receipt of stolen property

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