

## Appendix

## ODM Rule 5160-43-09

Specialized Recovery Services Program Disqualifying Offenses and Exclusion List for Providers on and after July 1, 2016.

## Tier I: Permanent Exclusion

- 2903.01 Aggravated murder
- 2903.02 Murder
- 2903.03 Voluntary manslaughter
- 2903.11 Felonious assault
- 2903.15 Permitting child abuse
- 2903.16 Failing to provide for a functionally-impaired person
- 2903.34 Patient abuse or neglect
- 2903.341 Patient endangerment
- 2905.01 Kidnapping
- 2905.02 Abduction
- 2905.32 Human trafficking
- 2905.33 Unlawful conduct with respect to documents
- 2907.02 Rape
- 2907.03 Sexual battery
- 2907.04 Unlawful sexual conduct with a minor, formerly corruption of a minor
- 2907.05 Gross sexual imposition
- 2907.06 Sexual imposition
- 2907.07 Importuning
- 2907.08 Voyeurism
- 2907.12 Felonious sexual penetration, as that offense existed prior to September 3, 1996
- 2907.31 Disseminating matter harmful to juveniles
- 2907.32 Pandering obscenity
- 2907.321 Pandering obscenity involving a minor
- 2907.322 Pandering sexually-oriented matter involving a minor
- 2907.323 Illegal use of a minor in nudity-oriented material or performance
- 2909.22 Soliciting or providing support for act of terrorism
- 2909.23 Making terroristic threats
- 2909.24 Terrorism
- 2913.40 Medicaid fraud

## Tier II: Ten-year Exclusionary Period

- 2903.04 Involuntary manslaughter
- 2903.041 Reckless homicide
- 2905.04 Child stealing
- 2905.05 Child enticement
- 2905.11 Extortion

2907.21 Compelling prostitution  
2907.22 Promoting prostitution  
2907.23 Enticement or solicitation to patronize a prostitute; procurement of a prostitute for another  
2909.02 Aggravated arson  
2909.03 Arson  
2911.01 Aggravated robbery  
2911.11 Aggravated burglary  
2913.46 Illegal use of food stamps or WIC program benefits  
2913.48 Workers' Compensation fraud  
2913.49 Identity fraud  
2917.02 Aggravated riot  
2923.12 Carrying concealed weapons  
2923.122 Illegal conveyance or possession of deadly weapon or danger ordnance in a school safety zone, illegal possession of an object indistinguishable from a firearm in a school safety zone  
2923.123 Illegal conveyance, possession, or control of deadly weapon or ordnance into courthouse  
2923.13 Having weapons while under a disability  
2923.161 Improperly discharging a firearm at or into a habitation or school  
2923.162 Discharge of firearm on or near prohibited premises  
2923.21 Improperly furnishing firearms to minor  
2923.32 Engaging in a pattern of corrupt activity  
2923.42 Participating in a criminal gang  
2925.02 Corrupting another with drugs  
2925.03 Trafficking in drugs  
2925.04 Illegal manufacture of drugs or cultivation of marijuana  
2925.041 Illegal assembly or possession of chemicals for the manufacture of drugs  
3716.11 Placing harmful or hazardous objects in food or confection

Tier III: Seven-year Exclusionary Period

959.13 Cruelty to animals  
959.131 Prohibitions concerning companion animals  
2903.12 Aggravated assault  
2903.21 Aggravated menacing  
2903.211 Menacing by stalking  
2905.12 Coercion  
2909.04 Disrupting public services  
2911.02 Robbery  
2911.12 Burglary  
2913.47 Insurance fraud  
2917.01 Inciting to violence  
2917.03 Riot  
2917.31 Inducing panic  
2919.22 Endangering children  
2919.25 Domestic violence  
2921.03 Intimidation  
2921.11 Perjury

- 2921.13 Falsification, falsification in a theft offense, falsification to purchase a firearm, or falsification to obtain a concealed handgun license
- 2921.34 Escape
- 2921.35 Aiding escape or resistance to lawful authority
- 2921.36 Illegal conveyance of weapons, drugs or other prohibited items onto the grounds of a detention facility or institution
- 2925.05 Funding drug trafficking
- 2925.06 Illegal administration of distribution of anabolic steroids
- 2925.24 Tampering with drugs
- 2927.12 Ethnic intimidation

Tier IV: Five-year Exclusionary Period

- 2903.13 Assault
- 2903.22 Menacing
- 2907.09 Public indecency
- 2907.24 Soliciting
- 2907.25 Prostitution
- 2907.33 Deception to obtain matter harmful to juveniles
- 2911.13 Breaking and entering
- 2913.02 Theft
- 2913.03 Unauthorized use of a vehicle
- 2913.04 Unauthorized use of computer, cable or telecommunication property
- 2913.05 Telecommunications fraud
- 2913.11 Passing bad checks
- 2913.21 Misuse of credit cards
- 2913.31 Forgery, forging identification cards or selling or distributing forged identification cards
- 2913.32 Criminal simulation
- 2913.41 Defrauding a rental agency or hostelry
- 2913.42 Tampering with records
- 2913.43 Securing writings by deception
- 2913.44 Personating an officer
- 2913.441 Unlawful display of law enforcement emblem
- 2913.45 Defrauding creditors
- 2913.51 Receiving stolen property
- 2919.12 Unlawful abortion
- 2919.121 Unlawful abortion upon minor
- 2919.123 Unlawful distribution of an abortion-inducing drug
- 2919.23 Interference with custody
- 2919.24 Contributing to the unruliness or delinquency of a child
- 2921.12 Tampering with evidence
- 2921.21 Compounding a crime
- 2921.24 Disclosure of confidential information
- 2921.32 Obstructing justice
- 2921.321 Assaulting or harassing a police dog, horse, or service animal
- 2921.51 Impersonation of peace officer

- 2925.09 Illegal administration, dispensing, distribution, manufacture, possession, selling, or using of any dangerous veterinary drug
- 2925.11 Drug possession, other than a minor drug possession offense
- 2925.13 Permitting drug abuse
- 2925.22 Deception to obtain a dangerous drug
- 2925.23 Illegal processing of drug documents
- 2925.36 Illegal dispensing of drug samples
- 2925.55 Unlawful purchase of pseudoephedrine product
- 2925.56 Unlawful sale of pseudoephedrine product

Tier V: No Exclusionary Period

- 2919.21 Non-support, contributing to non-support of dependents
- 2925.11 Drug possession that is a minor drug possession offense
- 2925.14 Drug paraphernalia
- 2925.141 Illegal use or possession of marijuana drug paraphernalia