

An applicant or in-home aide who has a prohibited offense shall meet the following standards for rehabilitation:

1. If the offense was a misdemeanor:
 - a. At least three years have elapsed from the date the individual was fully discharged for imprisonment, probation or parole, unless the records were sealed.
 - b. All fines imposed by the court as part of the sentence have been paid in full.
2. If the offense was a felony:
 - a. At least 10 years have elapsed since the individual was fully discharged from imprisonment, probation or parole, unless the records were sealed.
 - b. All fines imposed by the court as part of the sentence have been paid in full.
 - c. The felony was not one of the following:

R.C. 2903.01 – Aggravated Murder

R.C. 2903.02 – Murder

R.C. 2903.11 – Felonious Assault

R.C. 2903.12 – Aggravated Assault

R.C. 2903.13 – Assault

R.C. 2905.01 – Kidnapping

R.C. 2907.02 – Rape

R.C. 2907.03 – Sexual Battery

R.C. 2907.12 – Felonious Sexual Penetration (as this former section of law existed)

R.C. 2907.321 – Pandering Obscenity Involving a Minor

R.C. 2907.322 – Pandering Sexually Oriented Matter Involving a Minor

R.C. 2907.323 – Illegal Use of a Minor in Nudity-Oriented Material of Performance

R.C. 2909.02 – Aggravated Arson

R.C. 2909.03 – Arson

R.C. 2919.22 – Endangering Children

R.C. 2919.25 – Domestic Violence

Or an existing or former offense of any municipal corporation, this state, or any other state, or the United States that is substantially equivalent to any of these offenses.

3. The victim of the offense (misdemeanor or felony) was not one of the following:
 - a. Under 18 years of age.
 - b. Functionally impaired as defined in section 2903.10 of the Revised Code.
 - c. Intellectually disabled or developmentally disabled as defined in section 5123.01 of the Revised Code.
 - d. Mentally ill as defined in section 5122.01 of the Revised Code.
 - e. 60 years of age or older.
4. The following additional factors shall also be considered:
 - a. The age of the person at the time of the offense.
 - b. The nature and seriousness of the offense.
 - c. The time elapsed since discharge from imprisonment, probation or parole.
 - d. Whether the person is a repeat offender.