

Disqualifying Penal Code Sections

If they have been convicted of any of the penal codes listed, CNA/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

ATCS 98-4 (11/09)