

Special Populations: People with Criminal Records

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OCCUPATIONAL LICENSING POLICY LEARNING CONSORTIUM
Special Populations: People with Criminal Records

IC 16-28-13-3 Crimes barring employment at certain health care facilities

Sec. 3. (a) A health care facility or an entity in the business of contracting to provide nurse aides or other unlicensed employees for a health care facility may not knowingly employ a person as a nurse aide or other unlicensed employee if one (1) or more of the following conditions exist:

(1) The person has been convicted of any of the following:

(A) A sex crime (IC 35-42-4).

(B) Exploitation of an endangered adult (IC 35-46-1-12).

(C) Failure to report battery, neglect, or exploitation of an endangered adult (IC 35-46-1-13).

(D) Theft (IC 35-43-4), if the person's conviction for theft occurred less than five (5) years before the individual's employment application date, except as provided in IC 16-27-2-5(a)(5).

(E) Murder (IC 35-42-1-1).

(F) Voluntary manslaughter (IC 35-42-1-3).

(G) Involuntary manslaughter (IC 35-42-1-4) within the previous five (5) years.

(H) Felony battery within the previous five (5) years.

(I) A felony offense relating to controlled substances within the previous five (5) years.

(2) The person:

(A) has abused, neglected, or mistreated a patient or misappropriated a patient's property; and

(B) had a finding entered into the state nurse aide registry.

(b) A person who knowingly or intentionally applies for a job as a nurse aide or other unlicensed employee at:

(1) a health care facility; or

(2) an entity in the business of contracting to provide nurse aides or other unlicensed employees for a health care facility;

after a conviction of one (1) or more of the offenses listed in subsection (a)(1) commits a Class A infraction.

As added by P.L.152-1995, SEC.18. Amended by P.L.147-1996, SEC.1; P.L.108-1999, SEC.6.