

Kentucky National Background Check Disqualifying Offenses

Pursuant to 906 KAR 1:190, Section 1(4), a “disqualifying offense” is:

- Identification on the Kentucky Nurse Aide Abuse Registry, Kentucky Child Abuse and Neglect Central Registry, Kentucky Caregiver Misconduct Registry, Federal List of Excluded Individuals and Entities (LEIE), or any available abuse registry, including the abuse and neglect registries of another state;
- A crime described in 42 USC 1320a-7;
- A substantiated finding of neglect, abuse, or misappropriation of property by a state or federal agency pursuant to an investigation conducted in accordance with 42 USC 1395i-3 or 1396r;
- Registration as a sex offender under federal law or under the law of any state;
- An offense under a criminal statute of the United States or of another state similar to an offense listed in this document;
- A conviction of, or a plea of guilty, an Alford plea, or a plea of nolo contendere to:
 - A misdemeanor offense related to:
 - Abuse, neglect, or exploitation of an adult as defined by KRS 209.020(4);
 - Abuse, neglect, or exploitation of a child;
 - A sexual offense;
 - Assault (including domestic violence) occurring less than seven (7) years from the date of the criminal background check;
 - Stalking occurring less than seven (7) years from the date of the criminal background check;
 - Theft occurring less than seven (7) years from the date of the criminal background check;
 - Fraud occurring less than seven (7) years from the date of the criminal background check;
 - Unlawfully possessing or trafficking in a legend drug or controlled substance occurring less than seven (7) years from the date of the criminal background check; or
 - Any other misdemeanor offense relating to abuse, neglect, or exploitation not listed and occurred less than seven (7) years from the date of the criminal background check;
 - KRS 525.130, Cruelty to animals in the second degree – Exemptions – Offense involving equines;
 - Any other misdemeanor offense relating to abuse, neglect, or exploitation that is not listed in this subsection and occurred less than seven (7) years from the date of the criminal background check;
 - A criminal offense against a victim who is a minor, as defined in KRS 17.500;
 - A felony offense involving a child victim;
 - A felony offense as described in the following table:

KRS Title	Title Description
KRS Chapter 209	Protection of Adults
KRS Chapter 217.182	Sale, distribution, administration, prescription, or possession of legend drugs – Penalty
KRS Chapter 218A	Controlled Substances

KRS Chapter 434	Offenses Against Property by Fraud
KRS Chapter 506.120	Engaging in organized crime
KRS Chapter 507	Criminal Homicide
KRS Chapter 507A	Fetal Homicide
KRS Chapter 508	Assault and Related Offenses
KRS Chapter 509	Kidnapping and Related Offenses
KRS Chapter 510	Sexual Offenses
KRS Chapter 511	Burglary and Related Offenses
KRS Chapter 512	Criminal Damage to Property
KRS Chapter 513	Arson and Related Offenses
KRS Chapter 514	Theft and Related Offenses
KRS Chapter 515	Robbery
KRS Chapter 516	Forgery and Related Offenses
KRS Chapter 517	Business and Commercial Frauds
KRS Chapter 520	Escape and Other Offenses Related to Custody
KRS Chapter 525	Riot, Disorderly Conduct, and Related Offenses
KRS Chapter 527	Offenses Relating to Firearms and Weapons
KRS Chapter 529	Prostitution Offenses
KRS Chapter 530, excluding KRS 530.050	Family Offenses
KRS Chapter 531	Pornography
Any other felony offense relating to abuse, neglect, exploitation, drugs, theft, or fraud not listed.	
Pending charges or outstanding warrants for criminal offense related to: KRS 17.500(8) sex crime; KRS 209 protection of Adults KRS 218A.1412 trafficking in a controlled substance in 1st degree; KRS 507 criminal homicide; KRS 508 assault and related charges; KRS 509 kidnapping and related offenses; KRS 510 sexual offenses; KRS 513 arson and related offenses; KRS 515 robbery; KRS 516 forgery; KRS 531 pornography.	

An out-of-state or federal charge that is pending or any outstanding warrant from another state or jurisdiction that is similar to an offense specified noted above.

A crime described in 42 U.S.C. 1320a-7

A substantiated finding of neglect, abuse, or misappropriation of property by a state or federal agency pursuant to an investigation conducted in accordance with 42 U.S.C. 1395i-3 or 1396r; Registration as a sex offender under federal law or under the law of any state; or Being listed on a registry as defined in 906 KAR 1:190, Section 1, subsection 10.