

Direct Access Worker Matrix

Any employer checking an applicant for a Direct Access Worker job and who is not a CNA or a DCW must use this matrix.

<b>Matrix for Disqualifying Crimes listed in Maine Revised Statutes Title 22: HEALTH AND WELFARE Chapter 1691: Maine Background Check Center Act</b>				
<b>All employees defined in 22 MRS §9053 (14)(Direct Access Worker) and are not CNA/DCWs will be held to the standard of this matrix.</b>				
The crimes listed in this document may bar an individual for a period of time from being employed in any manner as a Direct Access Worker as described in the above listed act. Registered sex offenders (SO) may not work when listed on the sex offender registry.				
<b>Disqualifying crimes- Must be a Felony level crime(class A, B, or C) unless specified. If crime (Felony or Misd.) occurred in a Health Care Setting (HCS) then it is a lifetime disqualifier.</b>	Disqualification Periods			
	Life	30 Years	10 Years	5 Years
<b>OFFENSES OF GENERAL APPLICABILITY (Attempt, Solicitation, and Conspiracy)</b>				
17-A §151. Criminal conspiracy	HCS		X	
17-A §152. Criminal attempt	HCS	A	B, C	
17-A §152-A. Aggravated attempted murder	HCS	X		
17-A §153. Criminal solicitation	HCS		X	
<b>OFFENSES AGAINST THE PERSON</b>				
17-A §201. Murder	HCS	X		
17-A §202. Felony murder	HCS	X		
17-A §203. Manslaughter	HCS		X	
17-A §204. Aiding or soliciting suicide	HCS			X
17-A §207. Assault	HCS		X	
17-A §207-A. Domestic violence assault	HCS		X	
17-A §208, 208-B. Aggravated assault, including elevated aggravated	HCS	X		
17-A §208-C. Elevated aggravated assault on pregnant person	HCS	X		
17-A §209-A. Domestic violence criminal threatening	HCS		X	
17-A §210. Terrorizing	HCS		X	
17-A §210-A. Stalking	HCS		X	
17-A §211/ 211-A. Reckless conduct/ Domestic violence reckless conduct	HCS		C	D
17-A §213. Aggravated reckless conduct	HCS		X	
19-A §4011. Violation of a protection order	HCS			X
22 §1593. Illegal sale and use of fetuses	HCS			X
34-B §3805. Causing denial of rights	HCS			X
34-B §5606. Violating rights of a person with an intellectual disability	HCS			E
<b>SEX ASSAULTS</b>				
17-A §253. Gross sexual assault	HCS	A	B, C	
17-A §254. Sexual abuse of minors	HCS		C	D, E
17-A §255-A. Unlawful sexual contact	HCS	A	B, C	D, E

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<b>SEX ASSAULTS (CONT.)</b>				
17-A §256. Visual sexual aggression against child	HCS		C	D
17-A §258. Sexual misconduct with a child under 14 years of age	HCS		C	D
17-A §259-A. Solicitation of a child to commit a prohibited act	HCS		C	D
17-A §260. Unlawful sexual touching	HCS			D
34-A §Multiple. Failing to register as a Sex Offender			B, C	D
<b>SEXUAL EXPLOITATION OF MINORS</b>				
17-A §282. Sexual exploitation of minor	HCS	A	B	
17-A §283. Dissemination of sexually explicit material	HCS	A	B, C	
17-A §284. Possession of sexually explicit material	HCS		B, C	D
<b>KIDNAPPING AND CRIMINAL RESTRAINT</b>				
17-A §301. Kidnapping	HCS	X		
17-A §302. Criminal restraint	HCS		X	
17-A §303. Criminal restraint by parent			X	
34-B §3805 Causing Unwarranted Hospitalizations.	HCS		X	
<b>THEFT</b>				
17-A §353. Theft by unauthorized taking or transfer			B	C
17-A §354. Theft by deception			B	C
17-A §354-A. Insurance deception			B	C
17-A §355. Theft by extortion				C
17-A §356-A. Theft of lost, mislaid or mistakenly delivered property			B	C
17-A §357. Theft of services			B	C
17-A §358. Theft by misapplication of property			B	C
17-A §359. Receiving stolen property			B	C
17-A §360. Unauthorized use of property			B	C
17-A §363. Organized retail theft				C

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			Life	30 Years
<b>BURGLARY</b>				
17-A §401. Burglary				X
17-A §405. Burglary of motor vehicle				X
<b>FALSIFICATION IN OFFICIAL MATTERS</b>				
17-A §454. Tampering with a witness, informant, juror or victim			X	
17-A §455. Falsifying physical evidence				D
17-A §456. Tampering with public records or information				D
<b>OFFENSES AGAINST THE FAMILY</b>				
17-A §553. Abandonment of child			X	
17-A §554. Endangering the welfare of a child			X	
17-A §555. Endangering welfare of dependent person	HCS		X	
17-A §556. Incest			C	D
<b>ROBBERY</b>				
17-A §651. Robbery	HCS		X	
<b>FORGERY AND RELATED OFFENSES</b>				
17-A §702. Aggravated forgery	HCS		X	
17-A §703. Forgery	HCS		X	
17-A §708. Negotiating a worthless instrument	HCS		X	
<b>OFFENSES AGAINST PUBLIC ADMINISTRATION</b>				
17-A §751-B. Refusing to submit to arrest or detention				D
17-A §752-A. Assault on an officer	HCS			X
17-A §752-B. Unlawful interference with law enforcement dogs				C, D
17-A §752-C. Assault on an emergency medical care provider	HCS		X	
17-A §752-D. Unlawful interference with law enforcement horses				C, D
17-A §753. Hindering apprehension or prosecution				X
17-A §754. Obstructing criminal prosecution				X

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<b>OFFENSES AGAINST PUBLIC ADMINISTRATION (CONT.)</b>				
17-A §755. Escape				X
<b>ARSON AND OTHER PROPERTY DESTRUCTION</b>				
17-A §802. Arson	HCS	X		
17-A §803-A. Causing a catastrophe	HCS	X		
17-A §805. Aggravated criminal mischief	HCS		X	
<b>SEX TRAFFICKING, PROSTITUTION AND PUBLIC INDECENCY</b>				
17-A §852. Aggravated sex trafficking	HCS	X		
17-A §853. Sex Trafficking	HCS		X	
17-A §855. Patronizing prostitution of minor or person with mental disab	HCS		C	D
<b>FRAUD</b>				
9-B §466. Act or omission with the intent to defraud	HCS		X	
17-A §903. Misuse of entrusted property	HCS	X		
17-A §905-A. Misuse of identification	HCS			D
<b>CRIMINAL USE OF EXPLOSIVES AND RELATED CRIMES</b>				
17-A §1001. Criminal use of explosives	HCS		X	
17-A §1002. Criminal use of disabling chemicals	HCS			D
17-A §1004. Criminal use of electronic weapon	HCS			D
<b>DRUGS</b>				
17-A §1103. Unlawful trafficking in scheduled drugs	HCS		B	C, D

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<b>DRUGS (CONT.)</b>				
17-A §1104. Trafficking in or furnishing counterfeit drugs	HCS			C
17-A §1105-A. Aggravated trafficking of scheduled drugs	HCS		A, B	C
17-A §1105-B. Aggravated trafficking or furnishing of counterfeit drugs	HCS		B	
17-A §1105-C. Aggravated furnishing of scheduled drugs	HCS		B	C
17-A §1105-D. Aggravated cultivating of marijuana			A, B	C
17-A §1105-E. Aggravated unlawful operation of a meth laboratory			A	
17-A §1106. Unlawfully furnishing scheduled drugs	HCS			C
17-A §1118. Illegal importation of scheduled drugs			B	C
17-A §1124. Unlawful operation of a methamphetamine laboratory	HCS		B	
<b>MOTOR VEHICLES</b>				
29-A §2414. Eluding/ Passing a roadblock			B	C
29-A §2411. Operating under the influence- Injury/Death		B	C	
29-A § 2252. Leaving the scene of accident with Injury/ Death			C	
29-A §2464. Operating after suspension- accident with death			B	C

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