

## ORS 443.004 Crimes

A home health or in-home care agency shall conduct a criminal background check before hiring or contracting with an individual and before allowing an individual to volunteer to provide services on behalf of the agency, if the individual will have direct contact with a patient or client of the agency. The background check must be conducted in accordance with rules established by the Oregon Health Authority, Public Health Division.

If a background check conducted by an agency reveals that the individual who is subject to the background check has been convicted of any of the following crimes, the agency may not employ the individual nor allow an individual to volunteer to provide services:

- ORS 163.095 Aggravated murder
- ORS 163.115 Murder
- ORS 163.118 Manslaughter I
- ORS 163.125 Manslaughter II
- ORS 163.145 Criminally negligent homicide
- ORS 163.149 Aggravated vehicular homicide
- ORS 163.165 Assault III
- ORS 163.175 Assault II
- ORS 163.185 Assault I
- ORS 163.187 Strangulation
- ORS 163.200 Criminal mistreatment II
- ORS 163.205 Criminal mistreatment I
- ORS 163.225 Kidnapping II
- ORS 163.235 Kidnapping I
- ORS 163.263 Subjecting another person to involuntary servitude II
- ORS 163.264 Subjecting another person to involuntary servitude I
- ORS 163.266 Trafficking in persons
- ORS 163.275 Coercion
- ORS 163.355 Rape III
- ORS 163.365 Rape II
- ORS 163.375 Rape I
- ORS 163.385 Sodomy III
- ORS 163.395 Sodomy II
- ORS 163.405 Sodomy I
- ORS 163.408 Unlawful sexual penetration II
- ORS 163.411 Unlawful sexual penetration I
- ORS 163.415 Sexual Abuse III
- ORS 163.425 Sexual Abuse II
- ORS 163.427 Sexual Abuse I
- ORS 163.432 Online sexual corruption of a child II, if the offender reasonably believed the child to be more than five years younger than the offender
- ORS 163.433 Online sexual corruption of a child I, if the offender reasonably believed the child to be more than five years younger than the offender
- ORS 163.435 Contributing to the sexual delinquency of a minor
- ORS 163.445 Sexual misconduct, if the offender is at least 18 years of age
- ORS 163.465 Public Indecency
- ORS 163.467 Private Indecency
- ORS 163.525 Incest with a child victim
- ORS 163.535 Abandonment of a child
- ORS 163.537 Buying or selling a person under 18 years of age
- ORS 163.547 Child neglect I
- ORS 163.670 Using a child in display of sexually explicit conduct
- ORS 163.684 Encouraging child sexual abuse I
- ORS 163.686 Encouraging child sexual abuse II
- ORS 163.687 Encouraging child sexual abuse III
- ORS 163.688 Possession of materials depicting sexually explicit conduct of a child I
- ORS 163.689 Possession of materials depicting sexually explicit conduct of a child II
- ORS 163.700 Invasion of personal privacy
- ORS 164.055 Theft I
- ORS 164.057 Aggravated Theft I
- ORS 164.098 Organized retail theft
- ORS 164.125 Theft of services, if charged as a felony
- ORS 164.215 Burglary II
- ORS 164.225 Burglary I
- ORS 164.325 Arson I
- ORS 164.377 Computer crime, if charged with a felony
- ORS 164.405 Robbery II
- ORS 164.415 Robbery I
- ORS 165.013 Forgery I
- ORS 165.022 Criminal possession of a forged instrument I
- ORS 165.032 Criminal possession of a forgery device
- ORS 165.800 Identity theft
- ORS 165.803 Aggravated identity theft
- ORS 167.012 Promoting prostitution
- ORS 167.017 Compelling prostitution
- ORS 167.057 Luring a minor
- ORS 167.320 Animal abuse I

- ORS 167.322 Aggravated animal abuse I
- ORS 181.594 Sex Crimes, including:
  - Transporting child pornography into the state;
  - Paying for viewing a child's sexually explicit conduct; and

Any conviction for delivery (selling) of drugs or manufacture (making) of drugs (or attempt, conspiracy, or solicitation for these crimes) in the past 10 years.