

Permanent Bar from Employment as a Caregiver List

Participant-hired workers or participant-hired worker applicants convicted of any of the following crimes cannot be hired and paid with IRIS Medicaid Home and Community-Based Services Waiver funding. Items in **bold text** may not be appealed.

Wisconsin Statutes	Crime
940.01	First-degree intentional homicide
940.02	First-degree reckless homicide
940.03	Felony murder
940.05	Second-degree intentional homicide
940.06	Second-degree reckless homicide
940.07	Homicide resulting from negligent control of vicious animal
940.08	Homicide by negligent handling of dangerous weapon, explosives or fire
940.09	Homicide by intoxicated use of vehicle or firearm
940.10	Homicide by negligent operation of vehicle
940.12	Assisting suicide
940.19 (2), (3), (4), (5) or (6)	Battery; substantial battery; aggravated battery
940.195	Battery to an unborn child; substantial battery to an unborn child; aggravated battery to an unborn child
940.20, 940.201, 940.203, 940.205, 940.207, 940.208	Battery (various circumstances)
940.21	Mayhem
940.23	Reckless injury
940.235	Strangulation and suffocation
940.24	Injury by negligent handling of dangerous weapon, explosives or fire
940.25	Injury by intoxicated use of a vehicle
940.285 (2)	Abuse of individuals at risk
940.29	Abuse of residents of penal facilities
940.295	Abuse or neglect of patients and residents
940.30	False imprisonment
940.302	Human trafficking
940.305	Taking hostages
940.31	Kidnapping
940.32	Stalking
940.22, 940.22 (2) or (3)	Sexual exploitation by therapist; duty to report
940.225 (1), (2), or (3)	Sexual assault
943.02	Arson of buildings; damage of property by explosives
943.10	Burglary
943.20	Theft
943.201	Unauthorized use of an individual's personal identifying information or documents

943.203	Unauthorized use of an entity's identifying information or documents
943.32	Robbery
943.38	Forgery
943.395	Fraudulent insurance and employee benefit program claims
943.41	Financial transaction card crimes
943.81	Theft from a financial institution
943.82	Fraud against a financial institution
943.83	Loan fraud
943.85	Bribery involving a financial institution
943.86	Extortion against a financial institution
943.87	Robbery of a financial institution
943.88	Organizer of financial crimes
943.89	Mail fraud
943.90	Wire fraud against a financial institution
49.49	Medicaid or public assistance fraud
948.02 (1) or (2)	Sexual assault of a child
948.025	Engaging in repeated acts of sexual assault of the same child
948.03 (2) (a), (b) or (c)	Physical abuse of a child
948.04	Causing mental harm to a child
948.05	Sexual exploitation of a child
948.051	Trafficking of a child
948.055	Causing a child to view or listen to sexual activity
948.06	Incest with a child
948.07	Child enticement
948.075	Use of a computer to facilitate a child sex crime
948.08	Soliciting a child for prostitution
948.085	Sexual assault of a child placed in substitute care
948.09	Sexual intercourse with a child age 16 or older
948.095	Sexual assault of a child by a school staff person or a person who works or volunteers with children
948.11 (a) or (am)	Exposing a child to harmful material or harmful descriptions or narrations
948.12	Possession of child pornography
948.13	Child sex offender working with children
948.14	Registered sex offender and photographing minors
948.20	Abandonment of a child
948.21 (1)	Neglecting a child
948.23	Concealing or not reporting death of a child; not reporting disappearance of a child
948.30	Abduction of another's child; constructive custody
948.53	Child unattended in child care vehicle

961.41 (1)	Manufacture, distribution or delivery
961.41 (1m)	Possession with intent to manufacture, distribute or deliver
*961.41 (3g)	Possession or attempt to possess a controlled substance or a controlled substance analog (*Only if the date of conviction is 5 or fewer years from the date that the criminal background check results are obtained by the entity.)
961.42 (1)	Maintaining a drug trafficking dwelling
961.43 (1) (a)	Acquire or obtain possession of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge
961.43 (1) (b)	To make, distribute or possess material designed to reproduce the trademark upon any drug or container or label so as to make a counterfeit substance or to duplicate the physical appearance, form, package or label of a controlled substance
961.453	Purchase of pseudoephedrine products on behalf of another person
961.455	Using a child for illegal drug distribution or manufacturing purposes
961.46	Distribution to persons under age 18
961.49	Offenses involving intent to deliver or distribute a controlled substance on or near certain places
961.495	Possession or attempted possession on or near certain places

A violation of the law of any other state or United States jurisdiction that would be a violation of a crime listed in this table.

To submit an appeal request for those crimes which may be appealed, the participant and participant-hired worker or participant-hired worker applicant must mail a completed [IRIS Background Check Appeal Request form \(F-01352\)](#) to the Department of Health Services within 10 business days of the date indicated on the background check notification letter they receive from their fiscal employer agency.