

**CHANGES TO AND ENUMERATED LIST OF CRIMES THAT APPLY TO R. S. 40:1300.53
EFFECTIVE AUGUST 15, 2010 (Revised June 24, 2011)**

ACT NO. 876 LOUISIANA LEGISLATIVE REGULAR SESSION, 2010

§1300.53. Refusal to hire or contract; termination of employment; exemption; appeal procedure; waiver

A. Except as otherwise provided in R.S. 40:1300.52(C), no employer shall hire any licensed ambulance personnel or non-licensed person when the results of a criminal history check reveal that the licensed ambulance personnel or non-licensed person has been convicted of any of the following offenses:

- (1) R.S. 14:28.1,30,30.1,31,32.6,32.7,32.12,34,34.1,34.7,35.2,37,37.1,37.4,38.1,42,42.1,43,43.1,43.2,43.3,43.5.,44,44.1, 46.2,51,60,62.1,64,64.1,64.4,66,67.21, 89, 89.1,93.3,93.4,93.5 or distribution or possession with the intent to distribute controlled dangerous substances as listed in Schedules I through V of the Uniform Controlled Dangerous Substances Act.
- (2) An attempt or conspiracy to commit any of the offenses listed in Paragraph (1) of this Subsection.

<u>RS</u>	<u>NAME OF OFFENSE</u>	<u>RS</u>	<u>NAME OF OFFENSE</u>
14:28.1	Solicitation for Murder	14:43.3	Oral Sexual Battery
14:30	First Degree Murder	14:43.5	Intentional Exposure to AIDS Virus
14:30.1	Second Degree Murder	14:44	Aggravated Kidnapping
14:31	Manslaughter	14:44.1	Second Degree Kidnapping
14:32.6	First Degree Feticide	14:46.2	Human Trafficking
14:32.7	Second Degree Feticide	14:51	Aggravated Arson
14:32.12	Criminal Assistance to Suicide	14:60	Aggravated Burglary
14:34	Aggravated Battery	14:62.1	Simple Burglary of a Pharmacy
14:34.1	Second Degree Battery	14:64	Armed Robbery
14:34.7	Aggravated Second Degree Battery	14:64.1	First Degree Robbery
14:35.2	Simple Battery of Infirm	14:64.4	Second Degree Robbery
14:37	Aggravated Assault	14:66	Extortion
14:37.1	Assault by Drive-By Shooting	14:67.21	Theft of Assets of an Aged Person or Disabled Person
14:37.4	Aggravated Assault with a Firearm	14:89	Crime Against Nature
14:38.1	Mingling Harmful Substances	14:89.1	Aggravated Crime Against Nature
14:42	Aggravated Rape	14:93.3	Cruelty to Infirm
14:42.1	Forcible Rape	14:93.4	Exploitation of Infirm
14:43	Simple Rape	14:93.5	Sexual Battery of the Infirm
14:43.1	Sexual Battery		
14:43.2	Second Degree Sexual Battery		

Distribution or possession with the intent to distribute controlled dangerous substances as listed in Schedule I through V of the Uniform Controlled Dangerous Substance Act.

- 40:966 A Penalty for distribution or possession with intent to distribute narcotic drugs listed in Schedule I;
- 40:967 A Prohibited acts -- Schedule II, penalties
- 40:968 A Prohibited acts -- Schedule III; penalties
- 40:969 A Prohibited acts -- Schedule IV; penalties
- 40:970 A Prohibited acts -- Schedule V; penalties
- 40:971 A Prohibited acts -- All Schedules

B. Additionally, except as otherwise provided in R. S. 40:1300.52 (C), no employer who provides care or services to any person under the age of twenty-one shall hire any licensed ambulance personnel or non-licensed person when the results of the criminal history check reveal that the licensed ambulance personnel or non-licensed person has been convicted of any of the following offenses:

- (1) RS 14:44.2, 80, 81.2, or 93
- (2) An attempt or conspiracy to commit any of the offenses listed in Paragraph (1) of this Subsection.

<u>RS</u>	<u>NAME OF OFFENSE</u>	<u>RS</u>	<u>NAME OF OFFENSE</u>
14:44.2	Aggravated Kidnapping of a Child	14:81.2	Molestation of a Juvenile
14:80	Felony Carnal Knowledge of a Child	14:93	Cruelty to Juveniles

C.(1) If the results of a criminal history check reveal that a non-licensed person or any licensed ambulance personnel hired on a temporary basis or any other person who is an employee has been convicted of any of the offenses listed in Subsection A or B of this Section, the employer shall immediately terminate the person's employment.

(2) The provisions of this Subsection shall not apply to a non-licensed person or licensed ambulance personnel who was working under a waiver granted under the law in effect prior to August 15, 2010, so long as that person continues to be employed for the employer who granted the waiver and the person began employment for the employer prior to August 15, 2010, or a person who has received a pardon of the conviction or has had his conviction expunged. (This section was revised June 24, 2011.)