



Disqualifying Offenses for Application for Licensure or Registration

Approved September 14, 2021

Under Ohio law, [HB 263](#) (133rd GA), a state licensing authority is prohibited from refusing to issue a license to an individual based solely on being charged with or convicted of a criminal offense or based on a nonspecific qualification such as “moral turpitude” or lack of “moral character.”

As required under law, the Board has issued a list of specific criminal offenses for which a conviction, judicial finding of guilt, or plea of guilty may disqualify an individual from obtaining an initial license or registration issued by the Board. The list can be found on page 3 of this document. These disqualifying offenses have a “direct nexus” to the practice of pharmacy and the health and safety of Ohioans.

"Direct nexus" means that the nature of the offense for which the individual was convicted or to which the individual pleaded guilty has a direct bearing on the fitness or ability of the individual to perform one or more of the duties or responsibilities necessarily related to a particular occupation, profession, or trade (R.C. 4776.10(B))

The criminal offenses listed below are not automatically disqualifying, as the Board reviews the facts of each case on an individual basis. An offense may or may not result in a proposed action to deny licensure. The factors considered may include, but are not limited to, the following:

- The nature and seriousness of the offense;
- Passage of time since the crime was committed and whether all terms ordered by the court were successfully completed;
- Whether any other offenses were committed since the crime;
- Relationship of the crime to the ability, capacity, and fitness required to perform the duties and responsibilities of the occupation;
- Any evidence of mitigating rehabilitation or treatment successfully completed, including whether a certificate of qualification for employment under Ohio Revised Code Section 2953.25 or achievement of employability under Ohio Revised Code Section 2961.22 has been obtained; and
- Whether the denial of the license is reasonably necessary to ensure public safety.

Applicants for licensure or registration that have a conviction, judicial finding of guilt, or plea of guilty can submit a request to the Board to determine whether a particular conviction(s) may disqualify the individual from obtaining a license or registration as a pharmacist, pharmacy

intern, pharmacy technician, or medical marijuana employee. The Criminal Conviction Determination Request Form can be accessed [here](#) and must be accompanied by a check or money order for \$25.00 payable to “Treasurer, State of Ohio”. As an alternative, an applicant may apply for a license/registration and provide truthful responses on the application and accompanying documents for any criminal offense.

***List of Disqualifying Offenses as Approved by the Board (Rev. 9.13.21)**

***This list includes any existing or former criminal offense that is substantially equivalent to those explicitly contained in the list under municipal ordinances or laws of this state, any other state, or the United States, as required by division (B) of Section 9.79 of the Ohio Revised Code.**

Offense	Citation
Ethics Law offenses	R.C. 102.99
Structure a transaction	R.C. 1315.53
Commercial transaction offenses	R.C. 1315.99
Aggravated murder	R.C. 2903.01
Murder	R.C. 2903.02
Voluntary manslaughter	R.C. 2903.03
Involuntary manslaughter	R.C. 2903.04
Reckless homicide	R.C. 2903.041
Negligent homicide	R.C. 2903.05
Aggravated vehicular homicide	R.C. 2903.06
Vehicular homicide	R.C. 2903.06
Vehicular manslaughter	R.C. 2903.06
Aggravated vehicular assault	R.C. 2903.08
Vehicular assault	R.C. 2903.08
Felonious assault	R.C. 2903.11

Aggravated assault	R.C. 2903.12
Assault	R.C. 2903.13
Negligent assault	R.C. 2903.14
Permitting child abuse	R.C. 2903.15
Failing to provide for a functionally impaired person	R.C. 2903.16
Aggravated menacing	R.C. 2903.21
Menacing by stalking	R.C. 2903.211
Menacing	R.C. 2903.22
Hazing	R.C. 2903.31
Female genital mutilation	R.C. 2903.32
Patient abuse or neglect	R.C. 2903.34 (automatic revocation pursuant to R.C. 2903.37, not impacted by HB 263)
Patient endangerment	R.C. 2903.341
Filing false patient abuse or neglect complaints	R.C. 2903.35
Kidnapping	R.C. 2905.01
Abduction	R.C. 2905.02
Unlawful restraint	R.C. 2905.03
Criminal child enticement	R.C. 2905.05
Extortion	R.C. 2905.11
Coercion	R.C. 2905.12
Trafficking in persons	R.C. 2905.32
Rape	R.C. 2907.02

Sexual battery	R.C. 2907.03
Unlawful sexual conduct with minor	R.C. 2907.04
Unlawful sexual conduct with minor	R.C. 2907.04
Gross sexual imposition	R.C. 2907.05
Sexual imposition	R.C. 2907.06
Importuning	R.C. 2907.07
Voyeurism	R.C. 2907.08
Public indecency	R.C. 2907.09
Felony sexual penetration	R.C. 2907.12 (repealed)
Commercial sexual exploitation of a minor	R.C. 2907.19
Compelling prostitution	R.C. 2907.21
Promoting prostitution	R.C. 2907.22
Enticement or solicitation to patronize a prostitute	R.C. 2907.23
Procurement of a prostitute for another	R.C. 2907.23
Inducing, enticing, or procuring engagement in sexual activity for hire	R.C. 2907.231
Disseminating matter harmful to juveniles	R.C. 2907.31
Pandering obscenity	R.C. 2907.32
Pandering obscenity involving a minor or impaired person	R.C. 2907.321
Pandering sexually oriented matter involving a minor or impaired person	R.C. 2907.322
Illegal use of minor or impaired person in nudity-oriented material or performance	R.C. 2907.323

Deception to obtain matter harmful to juveniles	R.C. 2907.33
Compelling acceptance of objectionable materials	R.C. 2907.34
Aggravated arson	R.C. 2909.02
Arson	R.C. 2909.03
Disrupting public services	R.C. 2909.04
Soliciting or providing support for act of terrorism	R.C. 2909.22
Making terroristic threat	R.C. 2909.23
Terrorism	R.C. 2909.24
Criminal possession of chemical, biological, radiological, or nuclear weapon or explosive device	R.C. 2909.26
Criminal use of chemical, biological, radiological, or nuclear weapon or explosive device	R.C. 2909.27
Illegal assembly or possession of chemicals or substances for manufacture of prohibited weapons	R.C. 2909.28
Money laundering in support of terrorism	R.C. 2909.29
Aggravated robbery	R.C. 2911.01
Robbery	R.C. 2911.02
Aggravated burglary	R.C. 2911.11
Burglary	R.C. 2911.12
Breaking and entering	R.C. 2911.13
Criminal trespass	R.C. 2911.21

Aggravated trespass	R.C. 2911.211
Safecracking	R.C. 2911.31
Tampering with coin machines	R.C. 2911.32
Theft	R.C. 2913.02
Unauthorized use of vehicle	R.C. 2913.03
Unauthorized use of property	R.C. 2913.04
Possession or sale of unauthorized cable TV device	R.C. 2913.041
Telecommunications fraud	R.C. 2913.05
Unlawful use of telecommunications device	R.C. 2913.06
Passing bad checks	R.C. 2913.11
Misuse of credit cards	R.C. 2913.21
Counterfeiting	R.C. 2913.30
Forgery	R.C. 2913.31
Criminal simulation	R.C. 2913.32
Making or using slugs	R.C. 2913.33
Trademark counterfeiting	R.C. 2913.34
Medicaid fraud	R.C. 2913.40
Medicaid eligibility fraud	R.C. 2913.401
Tampering with records	R.C. 2913.42
Illegally transmitting multiple commercial electronic mail messages (spamming)	R.C. 2913.421
Securing writings by deception	R.C. 2913.43

Personating an officer	R.C. 2913.44
Unlawful display of law enforcement emblem	R.C. 2913.441
Defrauding creditors	R.C. 2913.45
Illegal use of food stamps or WIC program benefits	R.C. 2913.46
Insurance fraud	R.C. 2913.47
Workers' compensation fraud	R.C. 2913.48
Identity fraud	R.C. 2913.49
Receiving stolen property	R.C. 2913.51
Cheating - corrupting sports	R.C. 2915.05
Inciting violence	R.C. 2917.01
Aggravated riot	R.C. 2917.02
Riot	R.C. 2917.03
Misconduct at emergency	R.C. 2917.13
Telecommunications harassment	R.C. 2917.21
Dissemination of image of another person	R.C. 2917.211
Inducing panic	R.C. 2917.31
Making false alarms	R.C. 2917.32
Unlawful possession or use of a hoax weapon of mass destruction	R.C. 2917.33
Improperly handling infectious agents	R.C. 2917.47
Unlawful distribution of an abortion-inducing drug	R.C. 2919.123
Endangering children	R.C. 2919.22

Contributing to unruliness or delinquency of a child	R.C. 2919.24
Domestic Violence	R.C. 2919.25
Bribery	R.C. 2921.02
Intimidation	R.C. 2921.03
Intimidation of attorney, victim, or witness	R.C. 2921.04
Retaliation	R.C. 2921.05
Perjury	R.C. 2921.11
Tampering with evidence	R.C. 2921.12
Falsification	R.C. 2921.13
Compounding a crime	R.C. 2921.21
Obstructing official business	R.C. 2921.31
Obstructing justice	R.C. 2921.32
Resisting arrest	R.C. 2921.33
Escape	R.C. 2921.34
Aiding escape or resistance to lawful authority	R.C. 2921.35
Illegal conveyance of weapons, drugs, or other prohibited items into grounds of detention facility or institution	R.C. 2921.36
Theft in office	R.C. 2921.41
Conspiracy	R.C. 2923.01
Attempt	R.C. 2923.02
Complicity	R.C. 2923.03
Carrying concealed weapons	R.C. 2923.12

Falsification of concealed handgun license	R.C. 2923.1211
Illegal conveyance or possession of deadly weapon or dangerous ordinance or of object indistinguishable from firearm in school safety zone	R.C. 2923.122
Illegal conveyance of deadly weapon or dangerous ordinance into courthouse	R.C. 2923.123
Having weapons under disability	R.C. 2923.131
Possession of deadly weapon while under detention	R.C. 2923.131
Using weapons while intoxicated	R.C. 2923.15
Improperly discharging firearm at or into a habitation, in a school safety zone, or with intent to cause harm or panic to persons in a school building or at a school function	R.C. 2923.161
Discharge of firearm on or near prohibited premises	R.C. 2923.162
Illegally manufacturing or possessing explosives	R.C. 2923.17
Unlawful possession of dangerous ordinance	R.C. 2923.17
Failure to secure dangerous ordnance	R.C. 2923.19
Unlawful transaction in weapons	R.C. 2923.20
Improperly furnishing firearms to minor	R.C. 2923.21
Possessing criminal tools	R.C. 2923.24
Hidden compartments in vehicles	R.C. 2923.241
Engaging in pattern of corrupt activity	R.C. 2923.32
Participating in criminal gang	R.C. 2923.42

Corrupting another with drugs	R.C. 2925.02
Aggravated trafficking in drugs	R.C. 2925.03
Trafficking in drugs	R.C. 2925.03
Illegal cultivation of marihuana	R.C. 2925.04
Illegal manufacture of drugs	R.C. 2925.04
Illegal assembly or possession of chemicals for manufacture of drugs	R.C. 2925.041
Aggravated funding of drug or marihuana trafficking	R.C. 2925.05
Funding of drug or marihuana trafficking	R.C. 2925.05
Illegal administration or distribution of anabolic steroids	R.C. 2925.06
Unapproved drugs - dangerous drugs offense involving in livestock	R.C. 2925.09
Possession of controlled substances	R.C. 2925.11
Possessing drug abuse instruments	R.C. 2925.12
Permitting drug abuse	R.C. 2925.13
Dealing in drug paraphernalia	R.C. 2925.14
Illegal advertising of drug paraphernalia	R.C. 2925.14
Illegal use or possession of drug paraphernalia	R.C. 2925.14
Selling drug paraphernalia to juveniles	R.C. 2925.14
Illegal use or possession of marihuana drug paraphernalia	R.C. 2925.141
Deception to obtain a dangerous drug	R.C. 2925.22
Illegal processing of drug documents	R.C. 2925.23

Tampering with drugs	R.C. 2925.24
Abusing harmful intoxicants	R.C. 2925.31
Improperly dispensing or distributing nitrous oxide	R.C. 2925.32
Trafficking in harmful intoxicants	R.C. 2925.32
Possessing nitrous oxide in motor vehicle	R.C. 2925.33
Sale of pure caffeine product	R.C. 2925.34
Illegal dispensing of drug samples	R.C. 2925.36
Aggravated trafficking in counterfeit controlled substances	R.C. 2925.37
Fraudulent drug advertising	R.C. 2925.37
Possession counterfeit controlled substances	R.C. 2925.37
Promoting and encouraging drug abuse	R.C. 2925.37
Trafficking in counterfeit controlled substances	R.C. 2925.37
Improper purchase of pseudoephedrine product or ephedrine product	R.C. 2925.55
Underage purchase of pseudoephedrine product or ephedrine product	R.C. 2925.55
Unlawful purchase of pseudoephedrine product or ephedrine product	R.C. 2925.55
Using false information to purchase pseudoephedrine product or ephedrine product	R.C. 2925.55
Improper sale of a pseudoephedrine product or ephedrine product	R.C. 2925.56
Unlawfully selling a pseudoephedrine product or ephedrine product	R.C. 2925.56

Unlawfully selling a pseudoephedrine product or ephedrine product to a minor	R.C. 2925.56
Abuse of a corpse	R.C. 2927.01
Ethnic intimidation	R.C. 2927.12
Selling or donating contaminated blood	R.C. 2927.13
Contaminating substance for human consumption or use	R.C. 2927.24
Spreading false report of contamination	R.C. 2927.24
Pure Food and Drug Law offenses	R.C. 3715.99
Controlled Substances Law offenses	R.C. 3719.99
Structure a transaction	R.C. 3772.99
Pharmacy Law offenses	R.C. 4729.99
Operating vehicle under influence of alcohol or drugs	R.C. 4511.19
Reckless Ops	R.C. 4511.20
Hit-Skip	R.C. 4549.02, .021, .03
Injuring animals	R.C. 959.02
Poisoning animals	R.C. 959.03
Animal fights	R.C. 959.15
Cruelty to animals	R.C. 959.13
Sexual conduct with an animal	R.C. 959.21
Prohibitions concerning companion animals	R.C. 959.131
Drugging animal prior to competition	R.C. 959.05
Dogfighting offenses	R.C. 959.16

Reporting child abuse or neglect	R.C. 2151.421
Reporting abuse, neglect, or exploitation of adult	R.C. 5101.63