

**REQUEST FOR RECONSIDERATION OF
DISQUALIFICATION DUE TO A CRIMINAL OFFENSE**

Department of Human Services,
Licensing Division – BGS
PO Box 64242
St. Paul, MN 55164-0242
Fax No.: (651) 297-1490

Date

**Appellant
Address
City State Zip
DOB: Date
Phone Number**

**Re: Agency Name
Address
City State Zip
Agency No.: XXXXX
Background Study No.: 22XXXXXX
PCA Services**

- A. The information about my disqualification is correct.
- B. I request reconsideration of my disqualification because I do not pose any risk of harm to the clients I would serve.

1. Explain the details of the crime you committed. What did you do?

Answer: On DATE, over NUMBER years ago, I was going through a very difficult time in my life. I surrounded myself with the wrong type of people, and I made a very bad choice. I was arrested and was later convicted of CRIME on DATE. I served time in the workhouse, was sentenced to probation, completed community service, a treatment program, and am very remorseful and sorry for what I did. My probation period ended on DATE, and my full citizenship rights were restored by the court. (See Attachment A, (Case Report); Attachment B, (Register of Actions); Attachment C, (Order Discharging Probation)).

2. Who were the victim(s) of the crime(s) you committed? A. What harm was suffered by the victim(s)? B. If your crime(s) were against a business or government agency, how did you harm the business or agency?

Answer: There were no identifiable victims in terms of persons. The crime I committed was an ordinary, non-violent drug crime, not involving any type of fraud and not against a person, business, or government agency.

3. A. Describe the persons who will receive services where you work, live, or are applying to work?

Answer: I have been working with my FRIEND OR FAMILY MEMBER for a number of years with her daily care. I have been doing so without being compensated. Sometime ago, I learned from a home care agency that I could be paid for my work as a PCA for my FRIEND OR FAMILY MEMBER. I now am seeking to work as a Personal Care Assistant (PCA) through HOME CARE AGENCY for my FRIEND OR FAMILY MEMBER, and will only be working with my FRIEND OR FAMILY MEMBER. If my disqualification is set aside I will continue working with her, and I have no intention of working with other individuals.

3. B. How are they vulnerable?

Answer: Individuals who receive PCA services are vulnerable in that they suffer from either physical or mental disabilities. The disabilities my FRIEND OR FAMILY MEMBER suffers from are physical and mental.

3. C. What services are provided to them? What do you do for them?

I help my FRIEND OR FAMILY MEMBER around the house and in the community with tasks that are difficult for her such a grooming, eating, shopping and keeping her home clean and safe. It would be great to be able to help my FRIEND OR FAMILY MEMBER and at the same time not be under financial stress because my work hours are limited due to the time I spend helping her. If my disqualification is set aside I will continue working with her, and I have no intention of working with other individuals.

4. Explain how the patients or clients are kept safe so they do not become victims of crimes such as the one(s) you committed?

Answer: The client I would serve (my FRIEND OR FAMILY MEMBER) is not in a position to become a victim of the type of crime that I committed. The crime that I committed was not against a person, and there were no identifiable victims.

5. Are the patients or clients you work with the same or different from the victim(s) of your crime. How are they the same? How are they different?

Answer: The client I would serve (my FRIEND OR FAMILY MEMBER) is not in a position to become a victim of the type of crime that I committed. The crime that I committed was not against a person, and there were no identifiable victims.

6. Please list the jobs you have had in health or human services before and after your disqualifying crime. List dates of employment with a brief description of your duties.

Answer: I have not held positions in human services before or after this conviction and I am currently unemployed.

- 7. Describe any rehabilitation or training that you have received since the disqualifying crime and include copies of any certificates that you have received for that training. How has that training helped you understand why you committed the crime? How do you think that training will keep you from committing other crimes?**

Answer: As part of my sentence, I completed community service, treatment, and fully complied with all of the terms and conditions of my probation. I understand that I committed the crime because I felt there were no other options available to me, and because the peers I surrounded myself with did not value compliance with the law. I have learned there are other options available and I am trying to support my family in a positive way.

- 8. Explain why you believe that you would not pose a risk of harm to the patients or clients where you work.**

Answer: As mentioned above, it has been over NUMBER years since I committed the crime that has been the basis for my disqualification. Since conviction of the offense, I have taken the following steps toward personal rehabilitation:

- a. I have completed treatment;
- b. I completed counseling;
- c. I served time in the workhouse; and
- d. I have completed probation.

In sum, the crime I committed was an ordinary, routine, non-violent drug crime, and not against a person. I never took advantage of any vulnerable person in my care, nor would I ever do so. The victim of the crime is in no way similar to the clients I would serve should my disqualification be set aside. I only work with my FRIEND OR FAMILY MEMBER, I did so before becoming her PCA and I have no intention of working with other clients. I am NUMBER years old, it has been over NUMBER years since the offense, and I complied with the conditions of my probation and completed treatment. If my disqualification is set aside I will continue working with my FRIEND OR FAMILY MEMBER, and I have no intention of working with other individuals.