

Minnesota Statutes, Chapter 245C
 Disqualifications
 Look-back Periods and Bars from
 Disqualification Set-Aside

PERMANENT DISQUALIFICATIONS	DESCRIPTION OF CRIME OR CONDUCT:	PERMANENT BAR TO SET ASIDE OF DISQUALIFICATION	
<p><i>Pursuant to Minnesota Statutes, section 245C.15, subdivision 1, an individual is permanently disqualified:</i></p> <ul style="list-style-type: none"> ❖ <i>for committing an offense listed in this section (245C.15, subd. 1) regardless of the offense level, unless otherwise specified;</i> ❖ <i>aiding and abetting, attempt, or conspiracy to commit any of the offenses listed in this section; or</i> ❖ <i>if committed an offense in any other state or country, the elements of which are substantially similar to the elements of the offenses listed in this section.</i> 	<p><i>Pursuant to Minnesota Statutes, section 245C.14, subd. 1, an individual is disqualified when a background study shows:</i></p> <ul style="list-style-type: none"> ❖ <i>a conviction of, admission to, or Alford Plea to one or more crimes listed in section 245C.15;</i> ❖ <i>a preponderance of the evidence indicates the individual has committed an act or acts that meet the definition of any of the crimes listed in section 245C.15; or</i> ❖ <i>an investigation results in an administrative determination listed in section 245C.15, subd. 4, paragraph (b).</i> 	<p><i>Pursuant to Minnesota Statutes, section 245C.24, the Commissioner may not set aside the disqualification of any individual disqualified pursuant to this chapter:</i></p> <ul style="list-style-type: none"> ❖ <i>if the individual was disqualified for an offense listed in section 245C.15, subd. 1 regardless of how much time has passed.</i> ❖ NOTE: WHEN A LICENSED FOSTER CARE PROVIDER ADOPTS AN INDIVIDUAL WHO HAS RECEIVED FOSTER CARE FROM THE PROVIDER FOR OVER 6 MONTHS, THE COMMISSIONER MAY GRANT A VARIANCE TO PERMIT THAT INDIVIDUAL TO REMAIN IN THE HOME IF THEY HAVE A PERMANENT DISQUALIFICATION. <p>DISQUALIFICATION EFFECTIVE DATE</p> <ul style="list-style-type: none"> ❖ <i>When a disqualification is based on judicial determination other than a conviction, the disqualification period begins from the date of the court order;</i> ❖ <i>When a disqualification is based on admission, the disqualification period begins from the date of an admission in court;</i> ❖ <i>When a disqualification is based on an Alford Plea, the disqualification period begins from the date the Alford Plea is entered in court.</i> ❖ <i>When a disqualification is based on a preponderance of evidence of a disqualifying act, the disqualification date begins from the date of the dismissal, the date of discharge of the sentence(s) imposed for a conviction for a disqualifying crime of similar element (s), or the date(s) of the incident, whichever occurs last.</i> 	
Statute Number	Crime	Disqualification Period	Is this a Bar?
609.185	Murder - 1 st degree	Permanent Disqualification	Permanent Bar to set aside
609.19	Murder - 2 nd degree	Permanent Disqualification	Permanent Bar to set aside
609.195	Murder - 3 rd degree	Permanent Disqualification	Permanent Bar to set aside
609.20	Manslaughter – 1 st degree	Permanent Disqualification	Permanent Bar to set aside
609.205	Manslaughter – 2 nd degree	Permanent Disqualification	Permanent Bar to set aside
609.221 (felony-level offense)	Assault - 1 st degree	Permanent Disqualification	Permanent Bar to set aside

Statute Number	Crime	Disqualification Period	Is this a Bar?
609.222 (felony-level offense)	Assault - 2 nd degree	Permanent Disqualification	Permanent Bar to set aside
609.2242 (felony-level offense); 609.2243 (felony-level offense)	Domestic assault—spousal abuse, child abuse or neglect, or crime against children	Permanent Disqualification	Permanent Bar to set aside
609.2247	Domestic assault by strangulation	Permanent Disqualification	Permanent Bar to set aside
609.228	Great bodily harm caused by distribution of drugs	Permanent Disqualification	Permanent Bar to set aside
609.245	Aggravated robbery	Permanent Disqualification	Permanent Bar to set aside
609.25	Kidnapping	Permanent Disqualification	Permanent Bar to set aside
609.2661	Murder of an unborn child - 1 st degree	Permanent Disqualification	Permanent Bar to set aside
609.2662	Murder of unborn child - 2 nd degree	Permanent Disqualification	Permanent Bar to set aside
609.2663	Murder of unborn child - 3 rd degree	Permanent Disqualification	Permanent Bar to set aside
609.322	Solicitation, inducement, promotion of prostitution	Permanent Disqualification	Permanent Bar to set aside
609.324, subd. 1	Other prohibited acts (any level offense)	Permanent Disqualification	Permanent Bar to set aside
609.342	Criminal sexual conduct – 1 st degree	Permanent Disqualification	Permanent Bar to set aside
609.343	Criminal sexual conduct – 2 nd degree	Permanent Disqualification	Permanent Bar to set aside
609.344	Criminal sexual conduct – 3 rd degree	Permanent Disqualification	Permanent Bar to set aside
609.345	Criminal sexual conduct – 4 th degree	Permanent Disqualification	Permanent Bar to set aside
609.3451	Criminal sexual conduct – 5 th degree	Permanent Disqualification	Permanent Bar to set aside
609.3453	Criminal sexual predatory conduct	Permanent Disqualification	Permanent Bar to set aside
609.352	Solicitation of children to engage in sexual conduct	Permanent Disqualification	Permanent Bar to set aside
609.365	Incest	Permanent Disqualification	Permanent Bar to set aside
609.377 (felony-level offense)	Malicious punishment of a child	Permanent Disqualification	Permanent Bar to set aside
609.378 (felony-level offense)	Neglect or endangerment of a child	Permanent Disqualification	Permanent Bar to set aside
609.561	Arson - 1 st degree	Permanent Disqualification	Permanent Bar to set aside

Statute Number	Crime	Disqualification Period	Is this a Bar?
609.66, subd 1e	Drive-by shooting	Permanent Disqualification	Permanent Bar to set aside
609.749, subd.3,4,5 (felony-level offense)	Harassment; stalking	Permanent Disqualification	Permanent Bar to set aside
609.855, subd 5	Shooting at or in public transit vehicle or facility	Permanent Disqualification	Permanent Bar to set aside
617.23, subd 2, clause (1) or subd 3, clause (1)	Indecent exposure involving a minor	Permanent Disqualification	Permanent Bar to set aside
617.246	Use of minors in sexual performance prohibited	Permanent Disqualification	Permanent Bar to set aside
617.247	Possession of pictorial representations of minors	Permanent Disqualification	Permanent Bar to set aside
243.166	Violation of predatory offender registration law	Permanent Disqualification	Permanent Bar to set aside

<p>OTHER DISQUALIFICATIONS</p> <p>Pursuant to Minnesota Statutes, section 245C.15, subd. 2, 3, and 4, the look-back periods for the crimes and conduct listed below are, unless otherwise specified,</p> <ul style="list-style-type: none"> ❑ 15 years for felony level, ❑ 10 years for gross misdemeanor level, and ❑ 7 years for misdemeanor level <p><i>*Individual is disqualified:</i></p> <ul style="list-style-type: none"> ❖ for committing an offense listed in this section ❖ for aiding and abetting, attempt, or conspiracy to commit any of the offenses listed in this section; or ❖ if committed an offense in any other state or country, the elements of which are substantially similar to the elements of the offenses listed in this section. <p><i>Note: If the individual commits one of the offenses, but the sentence or level of offense is a gross misdemeanor or misdemeanor, the look-back period is the period applicable to the gross misdemeanor or misdemeanor disposition.</i></p>	<p>DESCRIPTION OF CRIME OR CONDUCT:</p> <p><i>Pursuant to Minnesota Statutes, section 245C.14, subd. 1, an individual is disqualified when a background study shows:</i></p> <ul style="list-style-type: none"> ❖ conviction, admission to, or Alford Plea to one or more crimes listed in section 245C.15; ❖ a preponderance of the evidence indicates the individual has committed an act or acts that meet the definition of any of the crimes listed in section 245C.15; or ❖ an investigation results in an administrative determination listed in section 245C.15, subd. 4, paragraph (b). 	<p>BAR TO SET ASIDE OF DISQUALIFICATION</p> <p><i>Pursuant to Minnesota Statutes, section 245C.24, the Commissioner may not set aside certain disqualifications when services are being provided in the license holder's home:</i></p> <ul style="list-style-type: none"> ❖ if an individual has committed any of the offenses identified below as 10 year bars, and less than 10 years have passed since the discharge of the sentence imposed, if any, for the offense; or ❖ if an individual has been disqualified based on a preponderance of evidence under section 245A.14, subd. 1, paragraph (a), clause (2), or an admission under clause (1) and less than ten years has passed since the individual committed or admitted to committing the act, whichever is later. <p>DISQUALIFICATION EFFECTIVE DATE</p> <ul style="list-style-type: none"> ❖ When a disqualification is based on judicial determination other than a conviction, the disqualification period begins from the date of the court order; ❖ When a disqualification is based on admission, the disqualification period begins from the date of an admission in court; ❖ When a disqualification is based on a preponderance of evidence of a disqualifying act, the disqualifying date begins from the date of the dismissal, the date of discharge of the sentence(s) imposed for a conviction for a disqualifying crime of similar element(s), or the date(s) of the incident, whichever occurs last.
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Statute Number	Crime	Disqualification Period	Offense level for disqualification	Is this a Bar?	Offense level for Bar
Chapter 152	Drugs; controlled substance	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
152.021	Controlled substance crime in 1 st degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
152.022	Controlled substance crime in 2 nd degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
152.023	Controlled substance crime in 3 rd degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar for subd. 1, clauses (3) and (4), and subd. 2, clause (4)	Any level

Statute Number	Crime	Disqualification Period	Offense level for disqualification	Is this a Bar?	Offense level for Bar
152.024	Controlled substance crime in 4 th degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar for subd. 1, clauses (2), (3), and (4)	Any level
152.025	Controlled substance crime in 5 th degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
152.0261	Importing Controlled Substances Across State Borders	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
152.0262	Possession of Substances with Intent to Manufacture Methamphetamine Crime	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
152.096	Conspiracies Prohibited	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
152.097	Simulated Controlled Substances	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
152.136	Anhydrous Ammonia; prohibited Conduct; Criminal Penalties	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
152.137	Methamphetamine-Related Crimes Involving Children and Vulnerable Adults	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
Felony level convictions- only [e.g. 169A.24]	Involving drug or alcohol use	15yr	Felony	10yr Bar	Felony Level
256.98	Wrongfully obtaining assistance	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
268.182	False representation; concealment of facts	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
393.07, subd. 10, paragraph (c)	Federal Food Stamp Program fraud	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
260C.301 subd. 1(b) or subd. 3	Termination of Parental Rights	15 yr	N/A	NO	
518B.01, subd. 14. Violation of order for protection	Violation of an order for protection (Domestic Abuse Act)	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	

Statute Number	Crime	Disqualification Period	Offense level for disqualification	Is this a Bar?	Offense level for Bar
609.165	Felon ineligible to possess firearm	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.21	Criminal vehicular homicide and injury	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar IF the offense caused death	Any level
609.215	Aiding suicide or aiding attempted suicide	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.221	Assault 1 st degree	10yr 7yr	Felony-*see Permanent Bar DQ* Gross-misdemeanor Misdemeanor	NO	
609.222	Assault 2 nd degree	10yr 7yr	Felony-*see Permanent Bar DQ* Gross-misdemeanor Misdemeanor	NO	
609.223	Assault 3 rd degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Felony level
609.2231	Assault 4 th degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Felony level
609.224	Assault 5 th degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.224 - Repeat offenses *Repeat offenses under 609.224 = 15 year look back	Assault 5 th degree	15yr		NO	
609.224, subd. 2 para (c)	5 th degree assault by caregiver against a vulnerable adult	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.2242	Domestic assault	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.2243	Sentencing; repeat domestic assault	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.229	Crimes committed for benefit of a gang	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.23	Mistreatment of persons confined	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level

Statute Number	Crime	Disqualification Period	Offense level for disqualification	Is this a Bar?	Offense level for Bar
609.231	Mistreatment of residents or patients	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.2325	Criminal abuse of a vulnerable adult	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.233	Criminal neglect of a vulnerable adult	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.2335	Financial exploitation of a vulnerable adult	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.234	Failure to report maltreatment of a vulnerable adult	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.235	Use of drugs to injure or facilitate crime	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.24	Simple robbery	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.255	False imprisonment	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.265	Abduction	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.2664	Manslaughter of unborn child - 1 st degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.2665	Manslaughter unborn child - 2 nd degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.267	Assault of unborn child - 1 st degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.2671	Assault of unborn child - 2 nd degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.2672	Assault of unborn child - 3 rd degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level

Statute Number	Crime	Disqualification Period	Offense level for disqualification	Is this a Bar?	Offense level for Bar
609.268	Injury or death of unborn child in commission of a crime	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.27	Coercion	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.275	Attempt to coerce	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.3232	Violation of an order for protection (Protective order authorized; procedures)	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.324, subd. 1(a)	Housing an unrelated minor engaged in prostitution	10yr 7yr	Gross-misdemeanor Misdemeanor	10 yr bar	Gross misdemeanor
609.33	Disorderly house	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.377	Malicious punishment of a child	10yr 7yr	Felony-*see Permanent Bar DQ* Gross-misdemeanor Misdemeanor	10 yr Bar	Gross misdemeanor
609.378	Neglect or endangerment of a child	10yr 7yr	Felony-*see Permanent Bar DQ* Gross-misdemeanor Misdemeanor	10 yr Bar	Gross misdemeanor
609.466	Medical assistance fraud	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.495	Aiding an offender	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.498, subd 1 or 1b	Aggravated 1 st degree or 1 st degree tampering with witness	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.52	Theft	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.521	Possession of shoplifting gear	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.525	Bringing stolen goods into Minnesota	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	

Statute Number	Crime	Disqualification Period	Offense level for disqualification	Is this a Bar?	Offense level for Bar
609.527	Identity theft	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.53	Receiving stolen property	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.535	Issuance of dishonored checks	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.562	Arson - 2 nd degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.563	Arson - 3 rd degree	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.582	Burglary	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	1 st and 2 nd Degree
609.59	Possession of burglary tools	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.611	Insurance Fraud	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.625	Aggravated forgery	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.63	Forgery	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.631	Check forgery; offering a forged check	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.635	Obtaining signature by false pretense	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.66	Dangerous weapons	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.665	Spring guns	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.67	Machine guns and short barreled shotguns	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level

Statute Number	Crime	Disqualification Period	Offense level for disqualification	Is this a Bar?	Offense level for Bar
609.687	Adulteration	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.71	Riot	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.713	Terroristic threats	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.72, subd. 3	Disorderly conduct against a vulnerable adult	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
609.746	Interference with privacy	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.746 – Repeat offenses *Repeat offenses under 609.746 = 10 year look back	Interference with privacy	10yr	Felony Gross-misdemeanor Misdemeanor		
609.749, subd. 2	Harassment; stalking	10yr 7yr	Felony-*see Permanent Bar DQ* Gross-misdemeanor Misdemeanor	10 yr Bar	Gross misdemeanor
609.79	Obscene or harassing telephone calls	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.795	Letter, telegram or package; opening; harassment	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.82	Fraud in obtaining credit	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
609.821	Financial transaction fraud	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
617.23	Indecent exposure, penalties – not involving a minor	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
617.23 - Repeat offenses	Indecent exposure; penalties	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr	Any level for repeat offenses
617.241	Obscene materials and performances; distribution and exhibition prohibited; penalty.	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	

Statute Number	Crime	Disqualification Period	Offense level for disqualification	Is this a Bar?	Offense level for Bar
617.241- Repeat offenses *Repeat offenses under 609.241 = 15 year look back	Obscene materials and performances; distribution and exhibition prohibited; penalty	15yr	Felony Gross-misdemeanor Misdemeanor	NO	
617.243	Indecent literature; distribution	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	NO	
617.293	Harmful material; dissemination and display to minors prohibited	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
624.713	Certain persons not to possess firearms	15yr 10yr 7yr	Felony Gross-misdemeanor Misdemeanor	10 yr Bar	Any level
Disqualification guidelines related to determinations of maltreatment of minors or vulnerable adults, and failure to make required reports.					
Maltreatment of a minor under 626.556, or of a vulnerable adult under 626.557, resulting in substantial harm	Maltreatment of a minor or maltreatment of a vulnerable adult which results in substantial bodily harm or substantial mental or emotional harm		7 year bar to setting aside the disqualification		
Failure to make required reports under 626.556, subd. 3, or 626.557, subd. 3 for which:	<input type="checkbox"/> Final disposition was substantiated maltreatment , and <input type="checkbox"/> Maltreatment was recurring and/or serious		<i>7 year disqualification</i>		
Substantiated serious and/or recurring maltreatment of a minor under 626.556 or of a vulnerable adult under section 626.557, for which:	<input type="checkbox"/> There is a preponderance of evidence that the maltreatment occurred, and <input type="checkbox"/> The subject was responsible for the maltreatment.		<i>7 year disqualification</i>		