

## .06 Drug Conviction Disqualification

**REVISION 20**  
(04/01/12 –06/30/12)

When, during an interview, a possible disqualification for a felony drug conviction is discovered, the following apply:

- Ask the participant about the conviction. The Drug Conviction Information section of the [Drug Conviction Checklist Outlook E-Form](#) may be used as a guide for questions to ask.

**NOTE** Budgetary units with a possible disqualifying drug conviction are still potentially eligible for expedited Nutrition Assistance service.

- When the interview is face to face, request verification of the conviction using the Information Request and Pending Information Agreement (FA-077).
- When the interview is by phone, send the C020 requesting verification of the conviction from the participant.

**NOTE** When the participant requests assistance, the EI must research available resources to verify the drug conviction.

### WARNING

The following participants are potentially eligible for CA and NA when convicted of a felony drug related offense and adjudicated in one of the following courts:

- Juvenile Court
- Tribal Court

The following are examples of convictions that DO NOT cause disqualification:

- Attempted possession or sale
- Solicitation to possess or sell
- Attempted manufacture of dangerous drugs
- Possession of non-dangerous chemicals to manufacture drugs
- Possession or use of drug paraphernalia
- Facilitation to possess or sell
- Conspiracy to possess

NOTE Felons may be offered the opportunity to petition the court to expunge (remove) the conviction from their record. (See [Adding Formerly Disqualified Participants](#)).

When the participant FAILS to respond to the notice, see [Drug Conviction Case Closure/Denial Procedures](#).

When drug conviction is verified as a disqualifying felony, complete the following:

- Priority [upload\(g\)](#) all the information obtained to [OnBase\(g\)](#).
- Elevate the facts of the case to [Research and Analysis](#) (R&A) using the [Drug Conviction Checklist Outlook E-Form](#).

NOTE Disqualifying drug convictions that are set aside by the Court must still be elevated to the R&A.

- When directed by the R&A to close the case, see [Drug Conviction Case Closure/Denial Procedures](#).

The participant is ineligible for NA benefits as long as the conviction stands.