

.07 NA Participants Keyed as DF

REVISION 10
(10/01/09 – 12/31/09)

The following participants may not receive NA benefits due to a disqualification. Key DF in the PT field on SEPA in the following situations:

- Participants who commit fraud or [intentional program violation](#) (IPV)
- Participants fleeing to avoid prosecution, custody, or confinement after conviction of a felony. The participant is ineligible for NA benefits as long as the participant continues to flee.
- Participants, children or adults, who are violating a condition of probation or parole imposed by a federal or state law. The participant is ineligible for NA benefits as long as the participant continues to violate a condition of probation or parole.
- Participants convicted of trading NA benefits for controlled substances or controlled substances for NA benefits.
- Participants convicted of trafficking NA benefits.
- Participants convicted of making fraudulent statements concerning their residence or identity, in order to receive multiple NA benefits.
- Participants, children or adults, who are convicted of a felony offense that has actual possession, use, or distribution of a controlled substance as an element of the crime. The crime must have been committed and the participant convicted on or after August 23, 1996.

WARNING

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

- Juvenile Court
- Tribal Court

WARNING (Continued)

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

- Attempted possession
- Solicitation to possess
- 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

When verification indicates that the participant must be disqualified, elevate the facts of the case via e-mail to the [Policy Support Team](#) (PST) before taking any action. FAX copies of the court documents to the PST for assistance.

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

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

When any participant in the NA budgetary unit is keyed with the DF Participation Code, the budgetary unit is not [NA categorically eligible](#) (Basic or Expanded).