BOARD of EXAMINERS for LONG TERM CARE ADMINISTRATORS (BELTCA)

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TODAYS TOPICS

• WHAT IS THE BUSINESS OF THE BOARD of EXAMINERS for LONG TERM CARE ADMINISTRATORS (BELTCA)

• HOW DOES BELTCA SERVE THE STATE LTC INDUSTRY
  – NAC CHAPTER 654 Administrative Code Regulations
  – SPECIFIC TO RFA's
NRS and NAC CHAPTERS 654
DEFINITIONS

• **NRS** (Nevada Revised Statutes)
• **NAC** (Nevada Administrative Code)
• **BELTCA** or Board (Board of Examiners for Long Term Care Administrators)
• **NAB** (National Association of Boards for Long Term Care Administrators)
• **NFA** (Nursing Facility Administrator)
• **RFA** (Residential Facility Administrator)
• **CEU** (Continuing Education Units)
• **HIPDB** (Federal Healthcare Integrity and Protection Data Bank)
WHY BELTCA

• SERVES AS THE LICENSING AND REGULATORY AGENCY FOR LONG TERM CARE ADMINISTRATORS IN NEVADA, INCLUDING NURSING HOMES AND GROUP CARE FACILITIES/ASSISTED LIVING FACILITIES.

• BELTCA PROTECTS PUBLIC AND CONSUMER INTERESTS BY INSURING LONG TERM CARE ADMINISTRATORS ARE OF GOOD MORAL CHARACTER, PROPERLY EDUCATED AND TRAINED TO CARE FOR NEVADA’S CITIZENS IN A DIGNIFIED AND CARING MANNER.
WHO IS BELTCA

• LICENSES ADMINISTRATORS NOT FACILITIES
  – NFA
  – RFA
• MEMBERS APPOINTED BY GOVERNOR
• VOLUNTEER 7 MEMBER BOARD
  – GOVENORS REPRESENTATIVE (DAS CHIEF)
  – 1 RFA UNDER 7 RESIDENTS
  – 1 RFA OVER 7 RESIDENTS
  – 2 NFA
  – 1 MEDICAL
  – 1 AT LARGE
• ATTORNEY GENERAL LEGAL APPOINTEE
HOW DOES BELTCA GET THE WORK DONE

• QUARTERLY MEETINGS OR AS NEEDED

• AGENDA MATTERS
  – APPROVE/DENY APPLICANTS FOR LICENSURE
  – DETERMINE NAC AMMENDMENTS
  – EDUCATIONAL OFFERINGS
  – DISCIPLINARY HEARINGS

• EACH BOARD MEMBER WORKS ON ASSIGNMENTS
  – LICENSURE APPLICATION REVIEWS
  – COORDINATION WITH NAB
  – COMPLAINT INVESTIGATIONS
  – CEU REVIEWS
  – OTHER DUTIES AS ASSIGNED
USE OF TITLE

NRS

• Only a Person Holding a Valid License for the Current Licensing Period May Use the RFA Title
• Any Individual Acting as an Administrator Without Holding a Valid License is subject to Penalty of Misdemeanor

NAC

• Same as NRS
BELTCA IMPLEMENTATION
NAC CHAPTER 654
Administrative Code Regulations RFA’s

APPLICATION/QUALIFICATIONS

NRS
• Develop Testing/Investigation Techniques to Ensure Standards are Met
• Prescribe and Furnish Application Making Sure it is Complete
• Conduct and Approve Training Programs to Allow Obtainment of Standards
• Ensure that Applicants are Qualified for Licensure
  – Good Moral Character
  – 21 Years of Age
  – US Citizen
  – Not Owing Child Support
  – Complete Required Instruction
  – Pass Exam(s)
  – Submit Fingerprints
  – Fully Complete Application
APPLICATION/QUALIFICATIONS

NRS

• Issue/Renew Numbered Licenses to Qualified Applicants
• Provide for Reciprocity (Licensure to Applicant applying from another Jurisdiction) If the Board Finds that Standards are Equivalent
BELTCA IMPLEMENTATION  
NAC CHAPTER 654  
Administrative Code Regulations RFA’s

APPLICATION/QUALIFICATIONS

NAC

• High School Diploma or General Equivalence Diploma from Accredited Institution

• Pass Examination(s)
  – NAB Exam with Passing Grade Determined by NAB as Standard
  – BELTCA Required Exams and Training (Applicants applying after July 1, 2007)
    • Assisted Living Certificate (Vigilin) Program (Web or Hard Copy) Offered thru CEUSite.com
    • Administer in Training (AIT) internship

• Have Either 2 Years of Experience as an RFA in the 6 Years Immediately Preceding Application Submission OR Complete 40 Hours of Board Approved Training
Beltca Implementation
NAC Chapter 654
Administrative Code Regulations RFA’s

Application/Qualifications

NAC (cont’d)

- Submit Statement that he/she is in Good Health, Free from Contagious Disease and/or Mental Impairment that would Impair Performance
- Provide Proof of English Communication Skills both Verbally and in Writing
- Disclose ANY Investigation for Misconduct (whether convicted or Not); Revocation/Modification/Suspension/Disciplinary Action related to Licensing in Another State
- Provide Statement Indicating Felony Convictions or Any Offense Involving Moral Turpitude
APPLICATION/QUALIFICATIONS

NAC (cont’d)

• Reciprocity May be Obtained IF
  – Applicant is Licensed as NFA in any State Requiring NAB Testing and Applicant has Passed that Exam
  – Is in Good Standing With any State he/she has Received Licensure
  – Applicant has Completed All Other Requirements for NV Licensure

• Provisional Licensure
  – Board May Issue Provisional License to Applicant Pending Receipt of FBI Report

• Inactive Status
  – Board May Approve Inactive Status Upon Written Request from Applicant in Good Standing for up to 2 Years
DISPLAY OF LICENSE

NRS
Licenses and Certain Records are Public Records

NAC
Original License MUST Be Displayed in a Public Place Within the Facility of which he/she is Administrator of Record
MULTIPLE FACILITY LIMITATIONS

NRS
Board is to Develop, Impose and Enforce Standards Which Must be Met by persons to Receive Licenses

NAC
• 150 Beds Located in Not More Than 5 Facilities
• Immediate Notification to Board for Operation of Additional Facilities Beyond 1
• Obtain Original, Numbered Secondary License from Board for Each Facility (A,B,C,D License)
• Surrender Secondary Licenses Not Displayed (e.g. No Longer NFA of Record or Facility Closes)
BELTCA IMPLEMENTATION
NAC CHAPTER 654
Administrative Code Regulations RFA’s

CHANGE IN CIRCUMSTANCE

NRS
Licenses and Certain Records are Public Records

NAC
Licensees are Required to Notify the Board for the Following
– Within 15 Days of Any change in Residential Address
– Within 10 Days Any Time he/she Becomes Administrator of Record for Different Facility
NRS
• Issue/Renew Licenses
• Conduct Continuing Study to Improve Standards and Procedures to Enforce Standards/Regulations
• CEUs Required for Renewal are Set by Board

NAC
• Unless Dually Licensed (i.e., NFA and RFA), License may be Renewed by Submitting to the Board:
  – Application for Renewal
  – Non-Refundable Renewal Fee
  – Evidence of Completion for 16 Board Approved CEU Hours
  – Every Four (4) Years, Submit Complete Set of Fingerprints
• Unless Renewed, License Expires and must be Reinstated
LICENSE RENEWAL/EXPIRATION/CEUs

- CEUs Must be Approved by the Board
- CEU Deemed Approved by the Board If Offered By the Following Organizations IF Domains of Practice for Long Term Care are Met
  - The Board
  - NAB
  - American Hospital Association
  - Nevada Geriatric Education Center
  - Nevada System of Higher Education
  - Any Agency of the State of Nevada
  - American Nurses Association
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LICENSE RENEWAL/EXPIRATION/CEUs

• CEU’s Provided by Organizations Not Listed Must Submit Application for CEU Approval Directly to the BELTCA Board
• Required Domains of Practice Include Education Specifically Related to Residential Facilities in the practice of
  – Administration
  – Clinical Management
  – Financial Management
  – Human Resource Management
  – Environmental Services
  – Psychosocial Care
BELTCA IMPLEMENTATION
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COMPLAINT INVESTIGATION/DISCIPLINARY ACTION

NRS
• Receive, Investigate and Take Appropriate Action for Charges or Complaints against a Licensee
• Revoke, Suspend Licenses for Non-Conformance of Standards
• Causes for Disciplinary Action to Include Suspension May Include:
  – Conviction of a Felony
  – Licensee Obtained License by Fraud/Deceit
  – Licensee Aids or Abets any Person in Violation of NRS
  – Licensee Violated Board NAC
  – Licensee Fails to Pay Child Support
COMPLAINT INVESTIGATION/DISCIPLINARY ACTION

NRS

• License May be Reinstated by Board Under the Following Conditions
  – Child Support is Paid as proved by Letter from Attorney or Public Agency
  – In the Case of Board Suspension/Revocation, ALL Board Members Vote to Reinstates
NAC

• Any Person May File Written, Signed Complaint to the Board
• Board Permits Licensee to Provide Satisfactory Proof that Complaint is Invalid
• Board Member/Committee Appointed Person Reviews/Investigates but May Not Vote in Hearing
• Board May Proceed to Disciplinary Action Hearing Substantial Evidence for Discipline is Determined Resulting in One or More of the Following
  – Licensee Placed on Probation with Time and Conditions Set by Board
  – Receive Public Reprimand
  – License and Practice Restriction
  – Suspension of License
  – Revocation of License
  – Payment of Administrative Hearing Fees
  – Mandatory Reporting to HIPDB
COMPLAINT INVESTIGATION/DISCIPLINARY ACTION

NAC (cont’d)
Board May Bring Disciplinary Actions Against a Licensee, Deny Issuance or Refuse to Renew if, After Notice and Hearing, there is Evidence of Infraction of NRS Causes Or Is Guilty of Fraud/Deceit; Unprofessional Conduct Including & Not Limited To:
- Providing Services for which he/she is Not Qualified
- Gross/Repeated negligence in Providing Services
- Willful Non-Compliance with Board or Other Enforcement Authority
- Conviction for Violation of any Federal, State Law governing Medications
- Failure to Notify Board of Loss of Facility Licensure
- Failure to Notify Board of Change in Circumstance
COMPLAINT INVESTIGATION/DISCIPLINARY ACTION

NAC (cont’d)

- Paying or Giving or Causing Same Without Written Disclosure Relative to Residents for Solicitation Purposes
- Referring Resident to Facility of Licensee Financial Interest Without Full Disclosure
- Fraudulent, Misleading or Deceptive Advertising
- Felony Conviction in Any Jurisdiction for Any Offense Involving Moral Turpitude Including But Not Limited To Murder, Assault, Sexual Misconduct, Abuse/Neglect, Fraud/Theft/Embezzlement, Misappropriation of Property with Preceding 7 Years; Felony using Firearm
- Receiving a Conviction in Any Jurisdiction for Any Office Substantially Related to RFA Practice OR DUI
COMPLAINT INVESTIGATION/DISCIPLINARY ACTION

NAC (cont’d)

- Failure to Protect Resident Privacy and Confidentiality
- Failure to Maintain Legally Required Records
- Falsifying or Altering Resident Records
- Failure to protect Resident from Incompetent, Abusive or Illegal Practice by Any Person
- Sexual Misconduct with Resident
- Abuse, Exploitation, Isolation or Neglect of Resident
- Have Record of Disciplinary, Civil or Criminal Action Reportable to the Healthcare Integrity and protection Data Bank (US Dept of Health/Human Services)
LICENSE REINSTATEMENT

NAC

• Re-Application to Board for License
• Submit Satisfactory Evidence that Deficiency Leading to Revocation is Removed
• Reversal/Revocation/Acquittal/Discharge of Conviction
• Meet Examination, Other Requirements for Licensure
• Attend Formal Hearing with Board
Disclaimer

This Document is Not Intended to be a Complete Version of NRS Chapter 654 or NAC Chapter 654. Entire Chapter(s) May be Obtained through BELCA

www.beltca.nevada.gov
(702) 486-5445

Board Members  Agendas/Minutes
Code of Ethics  Approved CEU Programs
Forms Information  Licensing Information