

**PROPOSED REGULATION OF THE  
BOARD OF EXAMINERS FOR LONG-TERM CARE ADMINISTRATORS**

**LCB FILE NO. R139-17I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 11/17/2017**

## CHAPTER 654 - ADMINISTRATORS OF FACILITIES FOR LONG-TERM CARE

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**GENERAL PROVISIONS**

**NAC 654.010 Definitions.** ([NRS 654.110](#)) As used in this chapter, unless the context otherwise requires, the words and terms defined in [NAC 654.014](#) to [654.055](#), inclusive, have the meanings ascribed to them in those sections.  
(Supplied in codification; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R187-97, 3-12-98; R131-04, 9-24-2004)

**NAC 654.014 “Administrator of a residential facility for groups” defined.** ([NRS 654.110](#)) “Administrator of a residential facility for groups” has the meaning ascribed to it in [NRS 654.015](#).  
(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care by R131-04, eff. 9-24-2004)

**NAC 654.016 “Administrator of record” defined.** ([NRS 654.110](#)) “Administrator of record” means the person named as the administrator of a nursing facility or a residential facility for groups on the license issued for the facility by the Division of Public and Behavioral Health of the Department of Health and Human Services.  
(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care by R131-04, eff. 9-24-2004)

**NAC 654.020 “Board” defined.** ([NRS 654.110](#)) “Board” means the Board of Examiners for Long-Term Care Administrators.  
[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 2 subsec. 1, eff. 12-28-69]—  
(NAC A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010)

**NAC 654.025 “Continuing education unit” defined.** ([NRS 654.110](#)) “Continuing education unit” means 1 full hour devoted to approved continuing education, consisting of accredited or acceptable material.

(Added to NAC by Bd. of Exam’rs for Admin’rs of Facilities for Long-Term Care by R187-97, eff. 3-12-98)

***NAC 654.027 “Health Services Executive” defined (NRS 654- - -) “Health Services Executive” means a person who is licensed as such pursuant NRS 654. - - -)***

**NAC 654.030 “Nursing facility” defined.** ([NRS 654.110](#)) “Nursing facility” means a facility for intermediate care as defined in [NRS 654.025](#) or a facility for skilled nursing as defined in [NRS 654.026](#).

[Bd. of Exam’rs for Nursing Fac. Admin., License Rule No. 2 subsec. 4, eff. 12-28-69]—  
(NAC A 2-1- 85; 3-27-92)

**NAC 654.040 “Nursing facility administrator” defined.** ([NRS 654.110](#)) “Nursing facility administrator” has the meaning ascribed to it in [NRS 654.028](#).

[Bd. of Exam’rs for Nursing Fac. Admin., License Rule No. 2 subsec. 2, eff. 12-28-69]

**NAC 654.050 “Person” defined.** ([NRS 654.110](#)) “Person” means a natural person.

[Bd. of Exam’rs for Nursing Fac. Admin., License Rule No. 2 subsec. 5, eff. 12-28-69]

**NAC 654.055 “Residential facility for groups” defined.** ([NRS 654.110](#)) “Residential facility for groups” has the meaning ascribed to it in [NRS 449.017](#).

(Added to NAC by Bd. of Exam’rs for Admin’rs of Facilities for Long-Term Care, eff. 11-29-95)

**NAC 654.060 Construction of chapter; effect on pending actions or proceedings.** ([NRS 654.110](#))

1. This chapter is intended to be consistent with the applicable federal and state law and must be construed, whenever necessary, to achieve this intention.
2. This chapter does not affect pending actions or proceedings, civil or criminal. The actions or proceedings may be prosecuted or defended in the same manner and with the same effect as though this chapter had not been adopted.

[Bd. of Exam’rs for Nursing Fac. Admin., License Rule No. 22 subsecs. b & d, eff. 12-28-69; renumbered as No. 21 subsecs. b & d, 8-16-75]

**NAC 654.070 Severability.** ([NRS 654.110](#)) In the event that any provision of this chapter is declared unconstitutional or invalid, or the application to any person or circumstance is held invalid, the applicability of the provision to other persons and circumstances and the constitutionality or validity of every other provision of this chapter must not be affected thereby.

[Bd. of Exam’rs for Nursing Fac. Admin., License Rule No. 22 subsec. c, eff. 12-28-69; renumbered as No. 21 subsec. c, 8-16-75]

**NAC 654.080 Obtaining copies of regulations.** ([NRS 654.110](#)) The Board will furnish copies of this chapter and amendments thereto for a nonrefundable fee of \$10.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 22 subsecs. e & g, eff. 12-28-69; renumbered as No. 21 subsecs. e & g, 8-16-75]—(NAC A 2-1-85; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care by R209-05, 5-4-2006)

### **HEALTH SERVICES EXECUTIVE**

#### ***NAC 654.090 Qualifications; program for training.***

- 1. Applicant must be approved by the National Association of Long Term Care Administrator Boards (NAB).***

#### ***NAC 654.091 Application for licensure; fee; time for completion.***

- 1. An applicant for a license as a health services executive must complete an application provided by the Board.***
- 2. The applicant's responses on the application must be typed or printed legibly. An application that is illegible or incomplete will be returned to the applicant.***
- 3. The application must be accompanied by a nonrefundable fee as determined by the Board.***
- 4. An application that is not completed within 1 year after the date on which it is submitted to the Board is void, and after that date the applicant must submit a new application accompanied by the required application fee to apply for a license.***

#### ***NAC 654.092 Additional requirements for licensure; fee.***

***In addition to the requirements of NRS 654.150 and 654.180 and NAC 654.100, an applicant***

***for a license as a health services executive must:***

- 1. Provide evidence of having satisfied the requirements of the National Association of Long Term Care Administrator Boards (NAB).***
- 2. Be at least 21 years of age.***
- 3. Be a citizen of the United States or lawfully entitled to remain and work in the United States.***
- 4. Provide a statement to the Board indicating that to the best of the applicant's knowledge he or she is of good health and free from contagious disease;***
- 5. Indicate whether the applicant suffers from any mental impairment that would affect his or her ability to perform the duties of a nursing facility administrator;***
- 6. Be able to communicate adequately in the English language both verbally and in writing;***
- 7. Indicate whether the applicant has been investigated or is being investigated for misconduct or had a license or certificate revoked, modified, limited or suspended, or whether any other disciplinary action or proceeding has been instituted against him or her by any authority in any state;***
- 8. Provide a statement to the Board indicating whether since the age of 18 years the applicant has ever been:***
  - (a) Charged with any misdemeanor, gross misdemeanor or felony; or***
  - (b) Convicted of any misdemeanor, gross misdemeanor or felony; and***

9. *Submit to the Board:*

*(a) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or*

*(b) Written verification, on a form prescribed by the Board, stating that the fingerprints of the applicant were taken and directly forwarded electronically or by another means to the Central Repository and that the applicant has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for a report on the applicant's background and to such other law enforcement agencies as the Board deems necessary.*

10. *Complete 8 hours of training concerning the statutes and regulations relating to long-term care and any other standards of care which apply to Health Services Executive that is approved by the Board.*

*NAC 654.095 Renewal of license; fee; expiration and reinstatement of license.*

1. *Except as otherwise provided in NAC 654.169, a health services executive may renew his or her license by submitting to the Board no more than 60 days prior to the expiration of licensee's license:*

*(a) An application for the renewal of the license;*

*(b) A nonrefundable renewal fee of \$350;*

*(c) Evidence satisfactory to the Board that during the 2 years immediately preceding the application for renewal he or she has completed the requirements for continuing education set forth in subsection 1 of NAC 654.096 and;*

2. *Every 4 years a health services executive who wishes to renew his or her license pursuant to this section must submit to the Board:*

*(a) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or*

*(b) Written verification, on a form prescribed by the Board, stating that the fingerprints of the nursing facility administrator were taken and directly forwarded electronically or by another means to the Central Repository and that the Health Services Executive has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for its report.*

3. *If a health services executive does not renew his or her license on or before the date for renewal of the license, the license automatically expires.*

4. A person whose license as a health services executive expires pursuant to subsection 3 may apply to have his or her license reinstated by the Board. To have his or her license reinstated, the person must:

(a) Submit to the Board an application for a license as a health Services Executive and pay the application fee;

(b) Submit to the Board:

(1) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or

(2) Written verification, on a form prescribed by the Board, stating that the fingerprints of the person were taken and directly forwarded electronically or by another means to the Central Repository and that the person has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for its report;

(c) Complete 8 hours of training concerning the statutes and regulations relating to long-term care and any other standards of care which apply to health services executive that is approved by the Board.

**NAC 654.096 Approval of programs of study; continuing education.**

1. Except as otherwise provided in NAC 654.169, to renew his or her license, a licensee must have, in the 2 years immediately preceding the date for renewal of the license, completed 40 continuing education units in a program approved by the Board pursuant to subsection 5. Two of the continuing education units must be in professional ethics and two of the continuing education units must be in training concerning the statutes and regulations relating to long-term care and any other standards of care which apply to health service executives.

2. The Board will approve programs for continuing education units for organizations, groups or persons that sponsor educational programs which meet certain criteria as the Board may prescribe. Special forms for requesting approval must be used and are available from the office of the Board. Topics for programs for continuing education units must be related to the domains of practice in the field of long-term care.

3. The Board will not approve more than 8 continuing education units earned in any 24 hour period.

**NAC 654.097 Duties. A health services executive shall:**

1. Ensure that the facility is in compliance with all applicable requirements of:

(a) Chapter 449 of NRS and chapter 449 of NAC; and

(b) Part 483 of Title 42 of the Code of Federal Regulations.

2. Oversee and direct the persons employed by the facility as necessary to ensure that the residents of the facility receive needed services and protective supervision.

***NAC 654.098 Use of title; administrative fine.***

***1. Only a person who has qualified as a licensed health services executive and who holds a license issued by the Board for the current licensing period may use the title "Health Services Executive," and may use the abbreviation "H.S.E." after his or her name. No other person may use or be designated by such a title or abbreviation or any other words, letters, sign, card or device tending to or intended to indicate that the person is a licensed health services executive.***

***2. If the Board imposes an administrative fine on a person for a violation of subsection 1, the amount of the fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.***

**NURSING FACILITY ADMINISTRATOR**

**NAC 654.100 Qualifications; program for training. ([NRS 654.110](#), [654.150](#))**

1. In addition to the requirements set forth in [NRS 654.150](#) and [654.180](#), an applicant for a license as a nursing facility administrator must submit evidence satisfactory to the Board that the applicant:
  - (a) Is 21 years of age or older;
  - (b) Is a citizen of the United States or lawfully entitled to remain and work in the United States;
  - (c) Has one of the following:
    - (1) A baccalaureate or master's degree in the administration of nursing facilities or the field of health care from a college or university recognized by the United States Department of Education and has successfully completed at least 1,000 hours:
      - (i) In a program for training administrators approved by the Board or the National Association of Long Term Care Administrators Boards; or
      - (ii) In an internship or residency program in a facility providing long-term nursing care;
    - (2) A baccalaureate or master's degree in any field from a college or university recognized by the United States Department of Education and has successfully completed at least 1,200 hours in a program for training administrators approved by the Board or the National Association of Long Term Care Administrator Boards; or
    - (3) A certificate issued by the American College of Health Care Administrators for the completion of the program for the certification of nursing home administrators;



(d) Has completed 8 hours of training concerning the statutes and regulations relating to long-term care and any other standards of care which apply to nursing facility administrators that is approved by the Board; and

(e) Is not the subject of any disciplinary proceeding.

2. A program for training administrators described in subsection 1 must be completed in a nursing facility that has 40 or more beds and must require a person in the program to complete:

(a) All the activities and forms provided in *The NAB Five-Step Program Administrator-in-Training Internship Manual* published by the National Association of Long Term Care Administrator Boards;

(b) At least 1,000 hours of training in a period of not less than 20 weeks and include training in the following areas:

- (1) Administration of nursing facilities;
- (2) Personnel management of nursing facilities;
- (3) Nursing;
- (4) Rehabilitation of patients in nursing facilities;
- (5) Management of medical records in nursing facilities;
- (6) Activities for patients of nursing facilities;
- (7) Social services for patients of nursing facilities;
- (8) Admission of patients of nursing facilities;
- (9) Management of a business office;
- (10) Dietary needs of patients of nursing facilities;
- (11) Housekeeping and laundry services provided in nursing facilities; and
- (12) Maintenance and environmental management of nursing facilities.

(c) If the applicant is required to complete 1,200 hours of training pursuant to subparagraph (2) of paragraph (b) of subsection 1, 200 hours of training as follows:

- (1) Sixty-five hours of training on resident care;
- (2) Forty-five hours of training on personnel management;
- (3) Twenty-five hours of training on financial management;
- (4) Twenty-five hours of training on maintenance housekeeping and laundry; and
- (5) Forty hours of training on administration.

3. In addition to the requirements set forth in subsection 2, a program for training administrators described in subsection 1 must require a preceptor to supervise each person receiving the training set forth in subsection 2. The preceptor must:

- (a) Be a licensed nursing facility administrator in good standing with the Board;
- (b) Have practiced as a nursing facility administrator for at least 2 of the preceding 5 years;
- (c) Have completed a preceptor training program approved by the Board;
- (d) Determine the order in which the training will be provided to each person he or she supervised; and

- (e) Record the dates and times that each person he or she supervises completes the training required in each area set forth in subsection 2.
  - 4. Evidence of the successful completion of a program for training administrators submitted pursuant to subsection 1 must be a certificate of completion that is:
    - (a) On a form provided by the Board; and
    - (b) Signed by the preceptor who supervised the applicant.
  - 5. A program for training administrators completed in another state must be equivalent to those programs approved in this State.
  - 6. Before an applicant for a license as a nursing facility administrator may begin a program for training administrators described in subsection 1, the applicant must obtain approval from the Board to do so.
  - 7. A person or entity must obtain approval of the Board to provide a program for training administrators described in subsection 1. The person or entity seeking approval must submit to the Board a description of the training program and any additional information required by the Board.
- [Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 7, eff. 12-28-69; A 8-16-75]—(NAC A 2-1- 85; 3-27-92; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R187- 97, 3-12-98; R200-99, 3-8-2000; R209-05, 5-4-2006; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)

**NAC 654.105 Application for licensure; fee; time for completion.** ([NRS 654.110](#), [654.140](#), [654.150](#))

- 1. An applicant for a license as a nursing facility administrator must complete an application provided by the Board.
  - 2. The applicant's responses on the application must be typed or printed legibly. An application that is illegible or incomplete will be returned to the applicant.
  - 3. The application must be accompanied by a nonrefundable fee of \$200 **plus administrative and training costs as determined by the Board.**
  - 4. An application that is not completed within 1 year after the date on which it is submitted to the Board is void, and after that date the applicant must submit a new application accompanied by the required application fee to apply for a license.
- (Added to NAC by Bd. of Exam'rs for Long-Term Care Admin'rs by R174-12, eff. 2-20-2013)

**NAC 654.110 Additional requirements for licensure; fee.** ([NRS 654.110](#), [654.140](#), [654.150](#)) In addition to the requirements of [NRS 654.150](#) and [654.180](#) and [NAC 654.100](#), an applicant for a license as a nursing facility administrator must:

- 1. Provide a statement to the Board indicating that to the best of the applicant's knowledge he or she is of good health and free from contagious disease;
- 2. Indicate whether the applicant suffers from any mental impairment that would affect his or her ability to perform the duties of a nursing facility administrator;
- 3. Be able to communicate adequately in the English language both verbally and in writing;
- 4. Indicate whether the applicant has been investigated or is being investigated for misconduct or had a license or certificate revoked, modified, limited or suspended, or whether any other disciplinary action or proceeding has been instituted against him or her by any authority in any state;

5. Provide a statement to the Board indicating whether since the age of 18 years the applicant has ever been:

- (a) Charged with any misdemeanor, gross misdemeanor or felony; or
- (b) Convicted of any misdemeanor, gross misdemeanor or felony; and

6. Submit to the Board:

(a) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or

(b) Written verification, on a form prescribed by the Board, stating that the fingerprints of the applicant were taken and directly forwarded electronically or by another means to the Central Repository and that the applicant has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for a report on the applicant's background and to such other law enforcement agencies as the Board deems necessary.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 8, eff. 12-28-69; A 8-16-75]—(NAC A 2-1-85; 3-27-92; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R187- 97, 3-12-98; R200-99, 3-8-2000; R209-05, 5-4-2006; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R174-12, 2-20-2013)

**NAC 654.111 Licensure without examination. ([NRS 654.110](#), [654.180](#))**

1. An applicant who holds a license as a nursing facility administrator or its equivalent from another jurisdiction and wishes to obtain a license as a nursing facility administrator in this State without taking the examination required by [NRS 654.150](#) must submit an application to the Board with the applicable fees as required by [NAC 654.105](#) and evidence satisfactory to the Board that:

(a) The applicant:

(1) Has obtained a baccalaureate or master's degree in the administration of nursing facilities or a related field from a college or university recognized by the United States Department of Education and has successfully completed at least 1,000 hours:

(I) In a program for training administrators approved by the Board or the National Association of Long Term Care Administrator Boards; or

(II) In an internship or residency program in a facility providing long-term nursing care;

(2) Has obtained a baccalaureate or master's degree in any field from a college or university recognized by the United States Department of Education and has successfully completed at least 1,000 hours in a program for training administrators approved by the Board or the National Association of Long Term Care Administrator Boards; or

(3) Has obtained a certificate issued by the American College of Health Care Administrators for the completion of the program for the certification of nursing home administrators.

(b) The applicant is licensed as a nursing facility administrator in a state that requires a person to pass the examination administered by the National Association of Long Term Care Administrator Boards to obtain such a license.

(c) The applicant's score on the examination administered by the National Association of Long Term Care Administrator Boards is valid. For purposes of this paragraph, a score is valid if the applicant's license as a nursing facility administrator in another state has not lapsed or been suspended, revoked or otherwise restricted since the date that the score was issued by the National Association of Long Term Care Administrator Boards.

(d) The applicant's license in that state is in good standing and has been in good standing for the 2 years immediately preceding the date that he or she submits his or her application to the Board.

(e) The applicant was licensed as a full-time administrator of record of a nursing facility for 2 years of the 5-year period immediately preceding the date on which he or she submits his or her application to the Board.

(f) Any license as a nursing facility administrator granted to the applicant by the licensing authority of another jurisdiction has not been suspended, revoked or otherwise restricted for any reason other than nonrenewal of the license or failure to obtain the required continuing education credits in a jurisdiction in which the applicant is licensed but is not currently engaged in the practice of nursing facility administration, evidence of which must be provided to the Board directly by the licensing authority of that jurisdiction.

(g) The applicant has completed 8 hours of training concerning the statutes and regulations relating to long-term care and any other standards of care which apply to nursing facility administrators that is approved by the Board.

(h) The applicant has complied with all other requirements for licensure as a nursing facility administrator set forth in this chapter and [chapter 654](#) of NRS.

2. The Board will review the evidence presented pursuant to this section to determine whether the applicant is eligible for licensure pursuant to this chapter and [chapter 654](#) of NRS.

3. The Board may, upon good cause shown, waive any of the requirements of subsection 1 other than a requirement set forth in [chapter 654](#) of NRS.

(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care by R200-99, eff. 3-8-2000; A by R209-05, 5-4-2006; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)

**NAC 654.1115 Examination for licensure. ([NRS 654.110](#), [654.150](#))**

1. Examinations for licensure as a nursing facility administrator will be held at such times and places as the Board designates.

2. The written examination must be:
  - (a) Prepared by the National Association of Long Term Care Administrator Boards or any testing service approved by the Board; and
  - (b) Administered, in a manner approved by the Board, by the National Association of Long Term Care Administrator Boards or any testing service approved by the Board.
3. A passing grade will be determined by the National Association of Long Term Care Administrator Boards.
4. An applicant who fails the examination may retake the examination. An applicant who fails the examination on two consecutive occasions must wait 1 year after the date of his or her last examination to apply for the examination.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 6, eff. 12-28-69]—(NAC A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R187-97, 3-12-98; R200-99, 3-8-2000; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)—(Substituted in revision for NAC 654.140)

**NAC 654.112 Renewal of license; fee; expiration and reinstatement of license.** ([NRS 654.110](#), [654.140](#), [654.150](#), [654.170](#))

1. Except as otherwise provided in [NAC 654.169](#), a nursing facility administrator may renew his or her license by submitting to the Board *no more than 60 days prior to expiration of licensee's license*:

- (a) An application for the renewal of the license;
- (b) A nonrefundable renewal fee of \$350;
- (c) Evidence satisfactory to the Board that during the 2 years immediately preceding the application for renewal he or she has completed the requirements for continuing education set forth in subsection 2 of [NAC 654.130](#); and

- (d) If applicable, the information required pursuant to subsection 2.

2. Every 4 years a nursing facility administrator who wishes to renew his or her license pursuant to this section must submit to the Board:

- (a) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or

- (b) Written verification, on a form prescribed by the Board, stating that the fingerprints of the nursing facility administrator were taken and directly forwarded electronically or by another means to the Central Repository and that the nursing facility administrator has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for its report.

3. If a nursing facility administrator does not renew his or her license on or before the date for renewal of the license, the license automatically expires.

4. A person whose license as a nursing facility administrator expires pursuant to subsection 3 may apply to have his or her license reinstated by the Board. To have his or her license reinstated, the person must:

- (a) Submit to the Board an application for a license as a nursing facility administrator and pay the application fee as required pursuant to

[NAC 654.105](#);

- (b) Submit to the Board:

- (1) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or

- (2) Written verification, on a form prescribed by the Board, stating that the fingerprints of the person were taken and directly forwarded electronically or by another means to the Central Repository and that the person has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for its report;

- (c) Complete 8 hours of training concerning the statutes and regulations relating to long-term care and any other standards of care which apply to nursing facility administrators that is approved by the Board; and

- (d) Except as otherwise provided in subsection 5, take the written examination required pursuant to [NRS 654.150](#) and receive a passing grade as determined by the National Association of Long Term Care Administrator Boards.

5. A person who applies to have his or her license reinstated pursuant to subsection 4 is not required to take the written examination if the person:

- (a) Applies to have his or her license reinstated not later than 5 years after the date on which the license expired; and

- (b) Has taken and received a passing grade on the written examination not later than 5 years after the date on which the license expired.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 15, eff. 12-28-69; A and renumbered as No. 14, 8-16-75]—(NAC A 2-1-85; 3-27-92; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R200-99, 3-8-2000, eff. 1-1-2001; R171-01, 6-28-2002; R131-04, 9-24- 2004; R209-05, 5-4-2006; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15- 2010; R174-12, 2-20-2013)

**NAC 654.130 Approval of programs of study; continuing education.** ([NRS 654.110](#), [654.150](#), [654.170](#))

1. A program of study to train and qualify applicants for a license as nursing facility administrators offered by any accredited university or college is acceptable and approved for such a purpose.

2. Except as otherwise provided in [NAC 654.169](#), to renew his or her license, a licensee must have, in the 2 years immediately preceding the date for renewal of the license, completed 30 continuing education units in a program approved by the Board pursuant to subsection 5. Two of the continuing education units must be in professional ethics and two of the continuing education units must be in training concerning the statutes and regulations

relating to long-term care and any other standards of care which apply to nursing facility administrators.

3. ~~Subject to the approval of the Board, not more than a total of 10 continuing education units may be obtained by:~~

~~(a) Except as otherwise provided in subsection 4, having an article published in a publication concerned with health care, with 10 continuing education units allowed for each published article containing at least 1,500 words;~~

~~(b) Except as otherwise provided in subsection 4, having an article published in a publication concerned with health care, with 1 continuing education unit allowed for each hour spent writing the article; or~~

~~(c) Presenting a paper at a meeting of an organization concerned with long term care, with 1 continuing education unit allowed for each hour spent presenting the paper.~~

4. ~~If an article is self published by a nursing facility administrator, the nursing facility administrator may not receive the continuing education units that are described in paragraphs (a) and (b) of subsection~~

5.3 The Board will approve programs for continuing education units for organizations, groups or persons that sponsor educational programs which meet certain criteria as the Board may prescribe. Special forms for requesting approval must be used and are available from the office of the Board. Topics for programs for continuing education units must be related to the domains of practice in the field of long-term care.

6.4. The Board will not approve more than 8 continuing education units earned in any 24 hour period.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 12, eff. 12-28-69; A 8-16-75]—(NAC A 2-1-85; 3-27-92; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R187- 97, 3-12-98; R200-99, 3-8-2000; R171-01, 6-28-2002; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)

**NAC 654.142 Duties.** ([NRS 654.110](#)) A nursing facility administrator shall:

1. Ensure that the nursing facility is in compliance with all applicable requirements of:
  - (a) [Chapter 449](#) of NRS and [chapter 449](#) of NAC; and
  - (b) Part 483 of Title 42 of the Code of Federal Regulations.
2. Oversee and direct the persons employed by the nursing facility as necessary to ensure that the residents of the nursing facility receive needed services and protective supervision.  
(Added to NAC by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, eff. 10-15-2010)

**NAC 654.144 Use of title; administrative fine.** ([NRS 654.110](#), [654.190](#))

1. Only a person who has qualified as a licensed nursing facility administrator and who holds a license issued by the Board for the current licensing period may use the title "Nursing Facility Administrator," and may use the abbreviation "N.F.A." after his or her name. No other person may use or be designated by such a title or abbreviation or any other words, letters, sign, card or device tending to or intended to indicate that the person is a licensed nursing facility administrator.

2. If the Board imposes an administrative fine on a person for a violation of subsection 1, the amount of the fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

(Added to NAC by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, eff. 10-15-2010; A by R174-12, 2-20-2013)

#### ADMINISTRATORS OF RESIDENTIAL FACILITIES FOR GROUPS

**NAC 654.1505 Qualifications for licensure.** ([NRS 654.110](#), [654.155](#)) In addition to the requirements of [NRS 654.155](#) and [654.180](#), an applicant for a license as an administrator of a residential facility for groups must:

1. Possess a high school diploma, general equivalency diploma or degree from an accredited institution of higher learning;
2. Pass an examination administered by the National Association of Long Term Care Administrator Boards;
3. Complete a program of training approved by the Board concerning the statutes and regulations relating to residential group care and any other standards of care which apply to operators of residential facilities;
4. Provide a statement to the Board indicating that to the best of the applicant's knowledge he or she is of good health and free from contagious disease;
5. Indicate whether the applicant suffers from any mental impairment that would affect the ability to perform the duties of an administrator of a residential facility for groups;
6. Be able to communicate adequately in the English language both verbally and in writing;
7. Indicate whether the applicant has been investigated for misconduct or had a license or certificate revoked, modified, limited or suspended, or whether any other disciplinary action or proceeding has been instituted against him or her by any authority in any state;
8. Provide a statement to the Board indicating whether since the age of 18 years the applicant has ever been:
  - (a) Charged with any misdemeanor, gross misdemeanor or felony; or
  - (b) Convicted of any misdemeanor, gross misdemeanor or felony; and
9. Submit to the Board:
  - (a) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or
  - (b) Written verification, on a form prescribed by the Board, stating that the fingerprints of the applicant were taken and directly forwarded electronically or by another means to the Central Repository and that the applicant has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for a report on the applicant's background and such other law enforcement agencies as the Board deems necessary; and
10. Provide proof that he or she:
  - (a) Has



- (1) At least 2 years of experience in ~~long-term~~ **health** care, including management and supervision, within the 6 year period immediately preceding the date on which he or she submits his or her application;
- (2) An associate's degree and at least 1 year of experience in ~~long-term~~ **health** care, including 6 months of management and supervision, within the 6 year period immediately preceding the date on which he or she submits his or her application; or
- (3) A bachelor's degree, master's degree or doctoral degree and at least 6 months of experience in ~~long-term~~ **health** care, including management and supervision, within the 6 year period immediately preceding the date on which he or she submits his or her application;
- (b) Completed 100 hours of study or training approved by the Board in the domains of practice in the field of operating a residential facility for groups; and
- (c) Completed 40 hours of study under the supervision of a mentor who has been approved by the Board pursuant to [NAC 654.156](#).

*As used in this subsection, "experience in ~~long-term~~ health care" means full-time, or equivalent hourly experience, working in a licensed residential facility for groups, licensed facility for skilled nursing ~~or~~, licensed facility for intermediate care or home and community based services.*

(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, eff. 11-29-95; A by R187-97, 3-12-98; R200-99, 3-8-2000; R171-01, 6-28-2002; R131-04, 9-24-2004; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)—(Substituted in revision for NAC 654.155)

**NAC 654.151 Application for licensure; fee; time for completion.** ([NRS 654.110](#), [654.140](#), [654.155](#))

1. An applicant for a license as an administrator of a residential facility for groups must complete an application provided by the Board.
2. The applicant's responses on the application must be typed or printed legibly. An application that is illegible or incomplete will be returned to the applicant.
3. The application must be accompanied by a nonrefundable fee of \$150 **plus administrative and training costs as determined by the Board.**
4. An application that is not completed within 1 year after the date on which it is submitted to the Board is void, and after that date the applicant must submit a new application accompanied by the required application fee to apply for a license.

(Added to NAC by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, eff. 10-15-2010; A by R174-12, 2-20-2013)

**NAC 654.1515 Licensure without examination.** ([NRS 654.110](#), [654.180](#))

1. An applicant who wishes to obtain a license as an administrator of a residential facility for groups without taking the examination required by [NRS 654.155](#) must submit evidence satisfactory to the Board that:

(a) For the 2 years ~~immediately~~ preceding the date on which he or she submits an application to the Board, the applicant has been licensed as an administrator of a residential facility for groups in a state that requires a person to pass the national examination administered by the National Association of Long Term Care Administrator Boards to obtain such a license;

(b) The applicant's license in that state is in good standing; and

(c) The applicant has complied with all other requirements for licensure as an administrator of a residential facility for groups set forth in this chapter and [chapter 654](#) of NRS.

2. An applicant who wishes to be licensed pursuant to this section will be denied licensure if he or she has a record of any disciplinary, civil or criminal action taken against him or her for activities that the Board finds to be contrary to the qualifications for a licensee that is listed on a federal, state or private registry or data bank, including, without limitation, the Healthcare Integrity and Protection Data Bank maintained by the Health Resources and Services Administration of the United States Department of Health and Human Services.

(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care by R200-99, eff. 3-8-2000; A by R171-01, 6-28-2002; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)—(Substituted in revision for NAC 654.157)

**NAC 654.1518 Examination for licensure; fee.** ([NRS 654.110](#), [654.140](#), [654.155](#))

1. Examinations for licensure as an administrator of a residential facility for groups will be held at such times and places as the Board designates. The fee for each examination will be established by the Board in an amount to cover the cost of administering the examination. The fee is not refundable.

2. A passing grade will be determined by the National Association of Long Term Care Administrator Boards.

3. An applicant who fails the examination may retake the examination. An applicant who fails the examination twice must wait at least 1 year after the date of the last examination before he or she may retake the examination.

(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, eff. 11-29-95; A by R187-97, 3-12-98; R200-99, 3-8-2000; R209-05, 5-4-2006; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)—(Substituted in revision for NAC 654.162)

**NAC 654.152 Renewal of license; fee; expiration and reinstatement of license; continuing education.** ([NRS 654.110](#), [654.140](#), [654.155](#), [654.170](#))

1. Except as otherwise provided in [NAC 654.169](#), an administrator of a residential facility for groups may renew his or her license by submitting to the Board ***no more than 60 days prior to the expiration of licensee's license:***

(a) An application for the renewal of his or her license;

(b) A nonrefundable renewal fee of \$350;

(c) Evidence satisfactory to the Board that during the 2 years immediately preceding the application for renewal he or she has completed the requirements for continuing education set forth in subsection 1 of [NAC 654.154](#); and

(d) If applicable, the information required pursuant to subsection 2.

2. Every 4 years an administrator of a residential facility for groups who wishes to renew his or her license pursuant to this section must submit to the Board:

(a) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or

(b) Written verification, on a form prescribed by the Board, stating that the fingerprints of the administrator of a residential facility for groups were taken and directly forwarded electronically or by another means to the Central Repository and that the administrator of a residential facility for groups has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for its report.

3. If an administrator of a residential facility for groups does not renew his or her license on or before the date for renewal of the license, the license automatically expires.

4. A person whose license as an administrator of a residential facility for groups expires pursuant to subsection 3 may apply to have his or her license reinstated by the Board. To have his or her license reinstated, the person must:

(a) Submit to the Board an application for a license as an administrator of a residential facility for groups and pay the application fee as required pursuant to [NAC 654.151](#);

(b) Submit to the Board:

(1) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or

(2) Written verification, on a form prescribed by the Board, stating that the fingerprints of the person were taken and directly forwarded electronically or by another means to the Central Repository and that the person has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for its report;

(c) Complete 8 hours of training concerning the statutes and regulations relating to residential group care and any other standards of care which apply to operators of residential facilities that is approved by the Board; and

(d) Take the written examination required pursuant to NRS 654.155 and receive a passing grade as determined by the National Association of Long Term Care Administrator Boards.

(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, eff. 11-29-95; A by R187-97, 3-12-98; R200-99, 3-8-2000; R200-99, 3-8-2000, eff. 1-1-2001; R171-01, 6-28-2002; R131-04, 9-24-2004; R209-05, 5-4-2006; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)

**NAC 654.154 Continuing education; approval of programs.** ([NRS 654.110](#), [654.155](#), [654.170](#))

1. Except as otherwise provided in [NAC 654.169](#), to renew his or her license, in the 2 years immediately preceding the date for renewal of the license, an administrator of a residential facility for groups must have completed 16 continuing education units in programs approved by the Board pursuant to subsection 2. Two of the continuing education units must be in professional ethics and two of the continuing education units must be in training concerning the statutes and regulations relating to residential group and any other standards of care which apply to operators of residential facilities.

2. The Board will approve programs for continuing education units for organizations, groups or persons that sponsor educational programs which meet certain criteria as the Board may prescribe. Special forms for requesting approval must be used and are available from the office of the Board. Topics for programs for continuing education units must be related to the domains of practice in the field of long-term care.

3. An administrator of a residential facility for groups who is approved by the Board to serve as a mentor pursuant to [NAC 654.156](#) may receive credit for not more than 10 continuing education units during each renewal period by supervising the study of an applicant for a license as an administrator of a residential facility for groups. One continuing education unit will be awarded for each 4 hours of actual supervision.

4. The board will not approve more than 8 continuing education units earned in any 24-hour period.

(Added to NAC by Bd. of Exam'rs for Long-Term Care Admin'rs by R174-12, eff. 2-20-2013)

**NAC 654.156 Approval of mentor of applicant for licensure.** ([NRS 654.110](#))

1. A person who wishes to mentor an applicant for a license as an administrator of a residential facility for groups as required for such applicants pursuant to paragraph (c) of subsection 10 of [NAC 654.1505](#) must meet the requirements set forth in subsection 2 and be approved to serve as a mentor by the Board.

2. The Board may approve a person to serve as a mentor if the person completes an application provided by the Board and demonstrates that he or she:

- (a) Holds a license issued by the Board as an administrator of a residential facility for groups;
- (b) Has at least 2 years of experience as an administrator of a residential facility for groups;
- (c) Has completed a course that has been approved by the Board for the training of mentors; and
- (d) Is able to communicate effectively orally and in writing.

3. The Board may deny approval for a person to serve as a mentor if:

(a) The person has been the subject of a disciplinary action brought by the Board;  
or

(b) The person has been the administrator of record of a residential facility for  
groups that has been the subject of an action brought by the

Division of Public Health and Human Services against the holder of the license to  
operate the facility.

(Added to NAC by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, eff. 10-15-2010; A by R174-12, 2-20-2013)

**NAC 654.164 Duties.** ([NRS 654.110](#)) Each administrator of a residential facility for groups:

1. Shall ensure that the facility complies with all applicable requirements of [chapter 449](#) of NRS and [NAC 449.002](#) to [449.99939](#), inclusive; and
2. Is responsible for the oversight and direction of the members of the staff of the facility as necessary to ensure that the residents of the facility receive needed services and protective supervision.

(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care by R131-04, eff. 9-24-2004)—(Substituted in revision for NAC 654.166)

**NAC 654.165 Use of title; administrative fine.** ([NRS 654.110](#), [654.190](#))

1. Only a person who holds a valid license issued by the Board for the current licensing period as an administrator of a residential facility for groups may use the title "Residential Facility Administrator," and may use the abbreviation "R.F.A." after his or her name. No other person may use or be designated by such a title or abbreviation or any other words, letters, sign, card or device tending to or intended to indicate that the person is licensed as an administrator of a residential facility for groups.

2. If the Board imposes an administrative fine on a person for a violation of subsection 1, the amount of the fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, eff. 11-29-95; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)

**PROVISIONS APPLICABLE TO BOTH *HEALTH SERVICES EXECUTIVES*, NURSING FACILITY ADMINISTRATORS AND ADMINISTRATORS OF RESIDENTIAL FACILITIES FOR GROUPS**

**NAC 654.168 Provisional licensure; inactive status; fee. ([NRS 654.110](#))**

1. The Board may issue a provisional license to an applicant pending final approval of the application by the Board. A provisional license expires 90 days after the date it is issued and is renewable at the discretion of the Board.

2. Upon the written request of a *health services executive*, nursing facility administrator or an administrator of a residential facility for groups who is in good standing, the Board will transfer the status of his or her license to inactive for a time not to exceed 2 consecutive years. A licensee whose license is on inactive status shall pay a nonrefundable fee of \$50 per year. Upon written request and approval by the Board, a licensee whose license is on inactive status may transfer his or her license to active status if the licensee meets the requirements for continuing education and pays the fees for an active license.

(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, eff. 11-29-95; A by R187-97, 3-12-98; R171-01, 6-28-2002; R131-04, 9-24-2004; R209-05, 5-4-2006; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R174-12, 2-20-2013)

**NAC 654.170 Sufficiency of programs of training and instruction. ([NRS 654.110](#))** If the Board finds that programs of training and instruction conducted within this State are not sufficient in number or content to enable a *health services executive*, nursing facility administrator or an administrator of a residential facility for groups to meet the requirements established by this chapter and [chapter 654](#) of NRS, it will institute and conduct its own program or arrange or cooperate with organizations in other states to conduct one or more programs accessible to residents of this State. The Board will approve programs conducted within and outside of this State which meet the educational and training requirements established by [chapter 654](#) of NRS and this chapter. Reasonable fees may be charged by the sponsors of programs to persons enrolled in these programs.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 14, eff. 12-28-69; A and renumbered as No. 13, 8-16-75]—(NAC A 2-1-85; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95)

**NAC 654.181 Notification of Board regarding certain changes in circumstances; administrative fine. ([NRS 654.110](#), [654.190](#))**

1. Each person licensed as a *health services executive*, nursing facility administrator or an administrator of a residential facility for groups shall notify the Board, in writing:
  - (a) Of any change in his or her residential address, telephone number, electronic mail address or other contact information within 15 days after such a change;
  - (b) Any time the person ~~becomes~~ *begins* or terminates his or her position as the administrator of record of a facility within 15 days after such an event; or
  - (c) Of any change in the number of beds authorized in the facility of which the person is the administrator of record.

2. If the Board imposes an administrative fine on a licensee for a violation of subsection 1, the amount of the fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

3. If the Board imposes an administrative fine pursuant to subsection 2, and the fine is not paid in accordance with the terms of the written notice to the licensee of the fine, the Board will refer the matter to an investigator and the legal counsel for the Board to initiate disciplinary action against the licensee pursuant to NAC 654.210.

(Added to NAC by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care by R131-04, eff. 9-24-2004; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)

**NAC 654.190 Display of license; administrative fine. ([NRS 654.110](#), [654.190](#))**

1. Each person licensed as a *health services executive*, nursing facility administrator or an administrator of a residential facility for groups shall conspicuously display the person's original license showing the person is the facility's administrator of record in a public place within the facility of which he or she is the administrator of record.

2. If the Board imposes an administrative fine on a licensee for a violation of subsection 1, the amount of the fine will be at least \$250 for a first violation and at least \$500 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 20, eff. 12-28-69; renumbered as No. 19, 8-16-75]—(NAC A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R171-01, 6-28-2002; R131-04, 9-24-2004; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)

**NAC 654.200 Issuance of duplicate license; fee. ([NRS 654.110](#))** After the receipt of satisfactory evidence that:

1. A license has been lost, mutilated or destroyed;
2. A licensee has changed his or her name; or
3. A facility at which a licensee is the administrator of record has a change in the number of beds authorized in the facility,

↳ the Board will issue a duplicate license upon payment of a nonrefundable fee of \$25.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 21, eff. 12-28-69; renumbered as No. 20, 8-16-75]—(NAC A 2-1-85; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R187-97, 3-12-98; R209-05, 5-4-2006; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R174-12, 2-20-2013)

**NAC 654.210 Grounds for disciplinary action, denial of license or refusal to renew license. ([NRS 654.110](#))** In addition to the reasons set forth in [NRS 654.190](#), the Board may bring disciplinary action against a licensee or deny the issuance of or refuse to renew a license as a *health services executive*, nursing facility administrator or an administrator of a residential facility for groups if the Board finds that the applicant or licensee:

1. Is guilty of fraud or deceit in procuring or attempting to procure a license pursuant to this chapter.
2. Is guilty of unprofessional conduct, including, without limitation:
  - (a) Providing services to a patient or resident which the applicant or licensee is not capable of providing with reasonable skill and safety because

of his or her use of alcohol or drugs, or because of lack of adequate training, skill or knowledge;

- (b) Gross or repeated negligence in providing services;
- (c) Willful noncompliance with any order of the Board or any other enforcement authority;
- (d) Failure to notify the Board of the loss of a license issued by the Bureau of Health Care Quality and Compliance of the Division of Public and Health of the Department of Health and Human

Behavioral Services;

- (e) Failure to notify the Board of a change in circumstances as required pursuant to [NAC 654.181](#);
- (f) Paying or giving, or causing to be paid or given, a fee, commission or other valuable consideration, inducement or incentive for the solicitation or procurement of a patient or resident;

or

- (g) Paying or giving, or causing to be paid or given, a fee, commission or other valuable consideration, inducement or incentive for referring a patient or resident to a facility;
- (h) Providing or giving, or causing to be paid or given, any financial incentive, including, without limitation, a discount on rent or other fees, to a patient, resident, or family member of or responsible party for a patient or resident, to fund a payment to a person or entity for referring the patient or resident to a facility;

- (i) Engaging in fraudulent, misleading or deceptive advertising;
- (j) Failing to protect the privacy of a resident or patient;
- (k) Violating the confidentiality of a resident or patient;
- (l) Failing to maintain records as required by law;
- (m) Falsifying or altering the records of a resident or patient;
- (n) Failing to protect a resident or patient from the incompetent, abusive or illegal practice of any person;
- (o) Engaging in sexual contact with a resident or patient;
- (p) Engaging in conduct which endangers the safety of the general public, patients, residents, clients or employees by making actual or implied threats of violence or carrying out such threats;

- (q) Abusing, exploiting, isolating, neglecting or abandoning a resident or patient as defined in [NRS 200.5092](#), as amended by section 3 of Assembly Bill No. 233, chapter 174, Statutes of Nevada 2015, at page 804;

or

- (r) Willfully or repeatedly violating the provisions of this chapter.

3. Is convicted in any jurisdiction of:

- (a) A felony or any offense involving moral turpitude;
- (b) Any offense listed in paragraph (a) of subsection 1 of NRS 449.174, as amended by section 41 of Assembly Bill No. 223, chapter 174, Statutes of Nevada 2015, at page 839;
- (c) Any violation of NRS 200.5091 to 200.50995, inclusive, as amended by sections 2 to 13, inclusive, of Assembly Bill No. 223, chapter 174, Statutes of Nevada 2015, at pages 804-13;



(d) Any offense which is substantially related to the practice of an administrator;  
or

(e) Any offense for driving under the influence of intoxicating liquor or a controlled substance.

4. Has a record of any disciplinary, civil or criminal action taken against the applicant or licensee that has been reported to or is required pursuant to the law of any jurisdiction to be reported to the National Practitioner Data Bank maintained by the Health Resources and Services Administration of the United States Department of Health and Human Services which the Board determines is contrary to the qualifications of an applicant or licensee.

5. Fails to pay an administrative fine levied by the Board pursuant to this chapter or NRS 654.190.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 16, eff. 12-28-69; A and renumbered as No. 15, 8-16-75]—(NAC A 2-1-85; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R187-97, 3-12-98; R171-01, 6-28-2002; R131-04, 9-24-2004; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R174-12, 2-20-2013)

**NAC 654.220 Complaints: Filing; investigation; formal hearing; service of notice; disciplinary action or dismissal of charges; report of discipline imposed; voluntary surrender of license.** ([NRS 654.110](#), [654.190](#))

1. Any person who becomes aware that a person licensed pursuant to the provisions of [chapter 654](#) of NRS is engaged in conduct which constitutes grounds for disciplinary action may file a complaint with the Board. The complaint must be in writing and signed by the complainant.

2. The Board will permit the licensee to provide proof satisfactory to the Board that he or she was not engaged in conduct which is grounds for disciplinary action.

3. A member of the Board, or a committee appointed by the Board to review cases, will review each complaint and conduct an investigation to determine whether there is a reasonable basis for the complaint. Except as otherwise provided in subsection 4, a member of the Board who participated in the investigation may not participate in the decision whether to take further action on the complaint following the investigation and may not participate in any subsequent hearing or action by the Board relating to the complaint.

4. If a member of the Board, or a committee appointed by the Board to review cases, decides to proceed with disciplinary action, the member of the Board or committee:

(a) Will refer the case to a prosecutor to bring charges against the licensee in the manner set forth in [NRS 622A.300](#); and

(b) May recommend that the Board impose on the licensee one or more of the disciplinary actions set forth in subsection 8.

5. If the member of the Board or committee appointed to review the case recommends that the Board impose one or more of the disciplinary actions set forth in subsection 8:

(a) The Board will give the licensee written notice of the disciplinary action recommended by the member of the Board or committee appointed to review the case. The written notice must be:

(1) Delivered personally to the licensee; or

(2) Sent by certified mail to the last known address of the licensee.

discipline must:

(b) Upon receipt of the written notice required pursuant to paragraph (a), the licensee may submit a written request to the Board to enter into a discipline must: agreement with the Board. The written request

- (1) Be on a form prescribed by the Board; and
- (2) State that the licensee knowingly, intelligently and voluntarily:
  - (I) Waives his or her right to a hearing on the charges brought against him or her; and
  - (II) Agrees to the terms of the discipline recommended to the Board pursuant to paragraph (b) of subsection 4.

6. If a licensee submits a written request for a discipline agreement to the Board pursuant to paragraph (b) of subsection 5, the Board will consider whether to impose the discipline recommended pursuant to paragraph (b) of subsection 4 at a meeting of the Board held pursuant to [NRS 654.100](#). At the meeting, the Board may not impose any discipline on the licensee other than the discipline recommended pursuant to paragraph (b) of subsection 4 that was agreed to by the licensee pursuant to subparagraph (II) of subparagraph (2) of paragraph (b) of subsection 5.

7. If:

- (a) The Board does not impose discipline on the licensee at the meeting described in subsection 6; or
- (b) The licensee does not submit a written request to enter into a discipline agreement with the Board pursuant to paragraph (b) of subsection

5,

→ the Board will set a time and place for a formal hearing. The Board will conduct the hearing in compliance with the provisions of [chapters 233B](#) and [622A](#) of NRS.

8. If the Board determines by a finding of substantial evidence at a hearing conducted pursuant to subsection 7 that the licensee was engaged in conduct which is grounds for disciplinary action, it may order that the licensee:

(a) Be placed on probation for a specified time with conditions that the Board considers appropriate which may include, without limitation, restricting the number of facilities for which the licensee may act as an administrator of record.

(b) Receive a public reprimand.

(c) Have restrictions placed on the licensee's practice, including, without limitation, prohibiting the licensee from transporting patients or residents by motor vehicle if the licensee has been convicted for any offense for driving under the influence of intoxicating liquor or a controlled substance.

- (d) Receive a suspension for a specified time or until further order of the Board.
- (e) Have his or her license revoked.
- (f) Participate in a program for the treatment of substance abuse.
- (g) Pay an administrative fine, pursuant to [NRS 654.190](#), of not more than \$10,000 for each violation.

9. If the Board determines at a hearing conducted pursuant to subsection 7 that the licensee was not engaged in conduct which is grounds for disciplinary action, the Board will dismiss the charges in writing and notify the licensee that the charges have been dismissed.

10. If discipline is imposed against a licensee pursuant to this section, the Board will report the disciplinary action to the Healthcare Integrity and Protection Data Bank maintained by the Health Resources and Services Administration of the United States Department of Health and Human Services or its successor.

11. The Board may, subject to the provisions of [NRS 654.190](#), accept the voluntary surrender of a license.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 17, eff. 12-28-69; renumbered as No. 16, 8-16-75]—(NAC A 2-1-85; 3-27-92; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R187-97, 3-12-98; R171-01, 6-28-2002; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)

**NAC 654.225 Subpoenas. ([NRS 654.110](#), [654.190](#))**

1. The Chair of the Board may, pursuant to [NRS 654.190](#), issue a subpoena on his or her own initiative or at the application of a party.

2. An application for a subpoena must be made in writing and set forth the reason and necessity for the subpoena.

3. An application for a subpoena must be accompanied by the proposed subpoena. The proposed subpoena must:

- (a) Be suitable for execution by the Chair;
- (b) Describe with reasonable specificity any documents or objects that must be produced; and
- (c) Include the time and place for the attendance of witnesses or the production of documents or objects.

4. The Chair may refuse to issue a subpoena that he or she determines is unreasonable or oppressive.

5. A person served with a subpoena issued pursuant to this section may request relief from compliance with its terms by filing a motion with the Board. The motion must be filed before the time set forth in the subpoena for compliance. The Chair may, upon receipt of the motion:

- (a) Quash the subpoena if the person demonstrates that the subpoena is unreasonable or oppressive;
- (b) Modify the terms of the subpoena;
- (c) Grant additional time for the person to comply with the subpoena; or
- (d) If the subpoena is for the production of documents or objects, require the party on whose behalf the subpoena is issued to advance the

reasonable cost of producing the documents or objects as a condition of the Chair's requiring the person to comply with the subpoena.

6. A subpoena must be served in the manner prescribed by law for the service of subpoenas in civil actions. If the Chair issues a subpoena at the request of a party, the party is responsible for the service of the subpoena.

(Added to NAC by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, eff. 10-15-2010)

**NAC 654.230 Reinstatement of license. (NRS 654.110)**

1. A **health services executive**, nursing facility administrator or an administrator of a residential facility for groups whose license has been revoked may apply to the Board for reinstatement of his or her license. The Board may reinstate the license if he or she has:

(a) Submitted evidence, satisfactory to the Board, that he or she has removed the deficiency which led to the revocation of the license;

(b) Applied for a license;

(c) Successfully passed the examination for licensure;

(d) Completed 8 hours of training that is approved by the Board concerning the statutes and regulations relating to long-term care or residential

group care, as applicable, and any other standards of care which apply to **health services executives**, nursing facility administrators or operators of residential facilities, as applicable; and

(e) Meets all the other requirements for licensure as a **health services executive**, nursing facility administrator or an administrator of a residential facility for groups set forth in this chapter and [chapter 654](#) of NRS.

2. After receipt of an application for reinstatement, the Board will schedule a formal hearing after providing notice in accordance with the provisions of [chapter 233B](#) of NRS.

3. If the conviction for which a licensee's license was revoked is reversed on appeal and the licensee is acquitted or discharged, his or her license becomes effective from the date of the acquittal or discharge.

[Bd. of Exam'rs for Nursing Fac. Admin., License Rule No. 19, eff. 12-28-69; renumbered as No. 18, 8-16-75]—(NAC A 2-1-85; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R171-01, 6-28-2002; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R174-12, 2-20-2013)

**NAC 654.250 Limitations on administration of multiple facilities; secondary administrator's license; fee; administrative fine; waiver. (NRS 654.110, 654.140, 654.190)**

1. Except as otherwise provided in subsection 8, a person licensed as a **health services executive or** nursing facility administrator may not be the administrator of record of more than one nursing facility at the same time for more than 90 days in a calendar year.

2. If a person licensed as a **health services executive or** nursing facility administrator is the administrator of record of more than one nursing facility, the person must:

(a) Immediately notify the Board that he or she is the administrator of record of more than one nursing facility; and

(b) Obtain a secondary administrator's license for each additional nursing facility for which he or she is the administrator of record by paying a nonrefundable fee of \$100 for each license.

↳ The Board may impose an administrative fine on a licensee for failure to comply with paragraph (a). The amount of such a fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

3. Except as otherwise provided in subsections 4 and 8, a person licensed as **health services executive or** an administrator of a residential facility for groups who is the

administrator of record for more than one facility may be an administrator of record for not more than 150 beds located in not more than five residential facilities for groups. For purposes of this subsection, multiple facilities located on the same campus are deemed to be a single facility.

4. If a person licensed as *a health services executive or* an administrator of a residential facility for groups operates more than one residential facility for groups, the administrator must:

(a) Immediately notify the Board that he or she is operating more than one residential facility for groups; and

(b) Obtain a secondary administrator's license for each additional residential facility for groups that he or she is operating by paying a nonrefundable fee of \$100 for each license.

↳ The Board may impose an administrative fine on a licensee for failure to comply with paragraph (a). The amount of such a fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

5. Each license and secondary license issued by the Board must include the name of the nursing facility or the residential facility for groups for which the license or secondary license was obtained. The Board will label each secondary administrator's license issued pursuant to subsection 2 or 4 as an "A," "B," "C" or "D" license.

6. A person licensed as a *health services executive*, nursing facility administrator and as an administrator of a residential facility for groups who is the administrator of record for more than one facility may be an administrator of record for not more than 150 beds located in all facilities for which he or she is the administrator of record. For purposes of this subsection, multiple facilities located on the same campus are deemed to be a single facility.

7. A *health services executive*, nursing facility administrator or an administrator of a residential facility for groups shall surrender and return a license to the Board not later than 15 calendar days after:

(a) Relinquishing his or her responsibilities at the nursing facility or residential facility for groups for which the license was obtained; or

(b) The closure of the nursing facility or residential facility for groups for which the license was obtained.

↳ The Board may impose an administrative fine on a licensee for failure to comply with this subsection. The amount of such a fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

8. Upon application to the Board, a *health services executive*, nursing facility administrator or an administrator of a residential facility for groups may, at the discretion of the Board, receive a waiver for a specified period of time from the limitations imposed by this section.

9. If the Board imposes an administrative fine pursuant to subsection 2, 4 or 7 and the fine is not paid in accordance with the terms of the written notice to the licensee of the fine, the Board will refer the matter to an investigator and the legal counsel for the Board to initiate disciplinary action against the licensee pursuant to NAC 654.210.

(Added to NAC by Bd. of Exam'rs for Nursing Fac. Admin., eff. 3-27-92; A by Bd. of Exam'rs for Admin'rs of Facilities for Long-Term Care, 11-29-95; R187-97, 3-12-98; R131-04, 9-24-2004; R209-05, 5-4-2006; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R129-09, 10-15-2010; R174-12, 2-20-2013)

## **PROVISIONS APPLICABLE TO BOTH NURSING FACILITY ADMINISTRATORS AND ADMINISTRATORS OF RESIDENTIAL FACILITIES FOR GROUPS**

### **NAC 654.169 Renewal of license. ([NRS 654.110](#), [654.170](#))**

1. A licensee who holds both a license as a nursing facility administrator and a license as an administrator of a residential facility for groups may renew his or her license as a nursing facility administrator and his or her license as an administrator of a residential facility for groups if, except as otherwise provided in subsection 2, the licensee has completed:

(a) A total of 30 continuing education units in programs approved by the Board pursuant to [NAC 654.130](#); and

(b) A total of 16 continuing education units in programs approved by the Board pursuant to [NAC 654.154](#).

2. If a program of continuing education has been approved by the Board for continuing education units pursuant to both [NAC 654.130](#) and [654.154](#), a licensee who holds both a license as a nursing facility administrator and a license as an administrator of a residential facility for groups may use the continuing education units earned for the program to satisfy the requirements of paragraphs (a) and (b) of subsection 1.

(Added to NAC by Bd. of Exam'rs of Admin'rs of Facilities for Long-Term Care by R187-97, eff. 3-12-98; A by Bd. of Exam'rs for Long-Term Care Admin'rs by R174-12, 2-20-2013)