

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

LCB File No. R200-99

December 17, 1999

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1, 8, 13 and 14, NRS 654.110; §§2 and 3, NRS 654.110 and 654.180; §4, NRS 654.110 and 654.150; §5, NRS 654.110, 654.140 and 654.150; §6, NRS 654.110 and 654.170; §7, NRS 654.110, 654.150 and 654.170; §§9 and 10, NRS 654.110, 654.140 and 654.170; §§11 and 12, NRS 654.110 and 654.155.

Section 1. Chapter 654 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *An applicant who wishes to obtain a license as a nursing facility administrator without taking the examination required by NRS 654.150 must submit evidence satisfactory to the board that:*

- 1. He is licensed as a nursing facility administrator in a state that requires a person to pass an examination to obtain such a license;*
- 2. His license in that state is in good standing; and*
- 3. He has complied with all other requirements for licensure as a nursing facility administrator set forth in this chapter and chapter 654 of NRS.*

Sec. 3. *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:*

1. He is licensed as an administrator of a residential facility for groups in a state that requires a person to pass an examination to obtain such a license;

2. His license in that state is in good standing; and

3. He 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.

Sec. 4. NAC 654.100 is hereby amended to read as follows:

654.100 1. In addition to *the* requirements set forth in NRS 654.150 ~~[, a person may not be permitted to take an examination]~~ *and 654.180, an applicant* for a license as a nursing facility administrator ~~[unless he has submitted]~~ *must submit* evidence satisfactory to the board that he:

(a) Is 21 years of age or older; and

(b) Has one of the following:

(1) A master's degree in the administration of nursing facilities or a related field of health administration from a college or university recognized by the United States Department of Education or approved by the superintendent of public instruction, if the master's program included a requirement for an internship or residency in a facility providing long-term nursing care;

(2) A baccalaureate degree from a college or university recognized by the United States Department of Education or approved by the superintendent of public instruction and, if he has not completed an internship or residency in a facility providing long-term nursing care, has successfully completed at least 1,000 hours ~~[in a]~~ :

(I) In a program for training administrators, approved by the board; or

(II) Of experience as an administrator of a facility providing long-term nursing care;

or

~~(3) [A high school diploma, general equivalency diploma or degree from an accredited institution of higher learning, has successfully completed 1,000 hours in a program for training administrators approved by the board and was a director of nursing or an assistant administrator for 3 of the 5 years immediately preceding the date of application, with the responsibility for planning, coordinating, directing and carrying out the normal operating functions of the nursing facility.~~

~~—2.— If an applicant seeks to qualify pursuant to subparagraph (3) of paragraph (b) of subsection 1, he must provide the board with a statement from at least one licensed nursing facility administrator verifying the applicant's work in a nursing facility.~~

~~—3.— The educational requirements for an initial license or for continuing education pursuant to NAC 654.130 may be satisfied by completing a program of study] *A certificate issued by the American College of Health Care Administrators for the completion of the program for the certification of nursing home administrators.*~~

2. A program for training administrators described in subsection 1 must require a person in the program to complete at least 1,000 hours of training in a period of not less than 26 weeks and include training in the following ~~[subjects:]~~ areas:

- (a) The management of nursing facilities;
- (b) The management of the employees of nursing facilities;
- (c) The management of the finances of nursing facilities;
- (d) The management of the environment in nursing facilities; and
- (e) State and federal statutes and regulations relating to the operation of nursing facilities.

FLUSH ~~[A program of study must be approved in advance by the board.~~

~~—4.— A program of study]~~

3. In addition to the requirements set forth in subsection 2, a program for training administrators described in subsection 1 must require:

(a) A nursing facility administrator who is licensed in this state and has practiced as an administrator for at least 1 year to supervise the training of each person in the program in the areas set forth in subsection 2;

(b) The administrator to determine the order in which the training will be provided to each person he supervises; and

(c) The administrator to record the dates and times that each person he 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 administrator who supervised the applicant.

5. A program for training administrators completed in another state must be equivalent to those programs approved in this state.

Sec. 5. NAC 654.110 is hereby amended to read as follows:

654.110 1. 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:

(a) Provide a statement to the board indicating that to the best of his knowledge he is of good health and free from contagious disease;

(b) Indicate whether he suffers from any mental impairment that would affect his ability to perform the duties of a nursing facility administrator;

(c) Provide proof that he is able to communicate adequately in the English language both verbally and in writing;

(d) Indicate whether he 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 by any authority in any state; and

(e) Provide a statement to the board indicating whether he has ever been convicted of a felony or any offense involving moral turpitude.

2. The fee for an application for a license as a nursing facility administrator is \$200. The fee accompanying the application is not refundable upon the withdrawal of an application.

Sec. 6. NAC 654.112 is hereby amended to read as follows:

654.112 1. A nursing facility administrator may renew his license by submitting to the board an application for the renewal of the license, a renewal fee of ~~[\$200]~~ \$250 and evidence satisfactory to the board that during the period immediately preceding the application for renewal, he has attended a continuing education program or course of study as provided in NAC 654.130.

2. Only a person who has qualified as a licensed nursing facility administrator and who holds a ~~[valid]~~ license for the current licensing period may use the title “Nursing Facility Administrator,” and may use the abbreviation “N.F.A.” after his 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.

Sec. 7. NAC 654.130 is hereby amended to read as follows:

654.130 1. A program of study ~~[designed]~~ 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 license, a licensee must have completed 30 hours in the 2 years immediately preceding the date for renewal of his license in a program of study for continuing education ~~[approved by the board, the American Hospital Association, the Nevada Geriatric Education Center, the University and Community College System of Nevada, any agency of the State of Nevada, the American Nurses Association or the National Association of Boards of Examiners for Long-Term Care, which must include courses, workshops or seminars which meet the requirements of subsection 3 of NAC 654.100]~~ or 30 continuing education units in a program accredited pursuant to subsection ~~[3,]~~ 4, or a combination of both. *A program of study for continuing education must be approved by:*

- (a) The board;*
- (b) The American Hospital Association;*
- (c) The Nevada Geriatric Education Center;*
- (d) The University and Community College System of Nevada;*
- (e) Any agency of the State of Nevada;*
- (f) The American Nurses Association; or*
- (g) The National Association of Boards of Examiners for Long-Term Care Administrators.*

3. Subject to the approval of the board, *not more than a total of* 10 hours may be obtained by:

- (a) Having an article published in a publication concerned with health care, with 10 hours allowed for each published article containing at least 1,500 words; ~~[or]~~

(b) *Having an article published in a publication concerned with health care, with 1 hour allowed for each hour spent writing the article; or*

(c) Presenting a paper at ~~[meetings of organizations]~~ *a meeting of an organization* concerned with long-term care, with ~~[10 hours]~~ *1 hour* allowed for ~~[the presentation of a paper.~~
~~—3.]~~ *each hour spent presenting the paper.*

4. The board will accredit programs for continuing education units to organizations, groups or persons sponsoring 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 may include, without limitation:

- (a) ~~[Administration]~~ *The administration* of nursing facilities;
- (b) ~~[Clinical]~~ *The clinical* management of nursing facilities;
- (c) ~~[Human]~~ *The human* resource management of nursing facilities;
- (d) ~~[Financial]~~ *The financial* management of nursing facilities;
- (e) Environmental services; and
- (f) Psychosocial care.

Sec. 8. NAC 654.140 is hereby amended to read as follows:

654.140 1. Examinations for licensure as a nursing facility administrator will be held ~~[at least twice a year]~~ at such times and places as the board designates.

2. The written examination must be ~~[prepared]~~ :

(a) *Prepared* by the National Association of Boards of Examiners for Long-Term Care ~~[]~~ *Administrators* or any testing service approved by the board ~~[, and administered]~~ ; *and*

(b) Administered, in a manner approved by the board, by the National Association of Boards of Examiners for Long-Term Care Administrators or any testing service approved by the board.

3. ~~[In order to]~~ *To* pass the written examination, an applicant must receive a grade of at least 75 percent.

4. An applicant who fails an examination may obtain his score from the board if he makes a written request within 45 days after the board notifies him that he has failed the examination, or the applicant may purchase a diagnostic score report directly from the professional exam service.

5. 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 last examination to apply for the examination.

FIRST
PARALLEL
SECTION

Sec. 9. NAC 654.152 is hereby amended to read as follows:

654.152 1. ~~[Before January 1, 1999, the fee for an application for a license as an administrator of a residential facility for groups is \$100. On or after January 1, 1999, the]~~ *The* fee for an application for a license as an administrator of a residential facility for groups is \$150. The fee accompanying the application is not refundable upon the withdrawal of an application.

2. Except as otherwise provided in NAC 654.169, a licensee may renew his license if he pays a renewal fee of \$200 and submits evidence satisfactory to the board that he has completed 16 hours of continuing education or has completed 16 continuing education units in a program accredited pursuant to subsection 3, or a combination of both, in the preceding 2 years. A continuing education program must be approved by:

- (a) The board;
- (b) The American Hospital Association;

- (c) The Nevada Geriatric Education Center;
- (d) The University and Community College System of Nevada;
- (e) Any agency of the State of Nevada;
- (f) The American Nurses Association; or
- (g) The National Association of Boards of Examiners for Long-Term Care ~~{ }~~

Administrators.

3. The board will accredit programs for continuing education units ~~{to}~~ *for* organizations, groups or persons sponsoring 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 may include, without limitation:

- (a) ~~{Administration}~~ *The administration* of residential facilities for groups;
- (b) ~~{Clinical}~~ *The clinical* management of residential facilities for groups;
- (c) ~~{Human}~~ *The human* resource management of residential facilities for groups;
- (d) ~~{Financial}~~ *The financial* management of residential facilities for groups;
- (e) Environmental services; and
- (f) Psychosocial care.

4. A person who wishes to receive credit for continuing education ~~{units}~~ *received* in a program which has not been approved ~~{by the board or approved}~~ *pursuant to subsection 2 or accredited* pursuant to subsection 3 must submit a request for accreditation ~~{for such}~~ *of continuing education* units to the board before the board will award credit for the ~~{units.}~~ *continuing education*. A request made pursuant to this subsection must be submitted on a special form ~~{for this purpose}~~ available from the office of the board.

Sec. 10. NAC 654.152 is hereby amended to read as follows:

654.152 1. The fee for an application for a license as an administrator of a residential facility for groups is \$150. The fee accompanying the application is not refundable upon the withdrawal of an application.

2. Except as otherwise provided in NAC 654.169, a licensee may renew his license if he pays a renewal fee of ~~[\$200]~~ \$250 and submits evidence satisfactory to the board that he has completed 16 hours of continuing education or has completed 16 continuing education units in a program accredited pursuant to subsection 3, or a combination of both, in the preceding 2 years.

A continuing education program must be approved by:

- (a) The board;
- (b) The American Hospital Association;
- (c) The Nevada Geriatric Education Center;
- (d) The University and Community College System of Nevada;
- (e) Any agency of the State of Nevada;
- (f) The American Nurses Association; or
- (g) The National Association of Boards of Examiners for Long-Term Care Administrators.

3. The board will accredit programs for continuing education units for organizations, groups or persons sponsoring 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 may include, without limitation:

- (a) The administration of residential facilities for groups;
- (b) The clinical management of residential facilities for groups;
- (c) The human resource management of residential facilities for groups;
- (d) The financial management of residential facilities for groups;

(e) Environmental services; and

(f) Psychosocial care.

4. A person who wishes to receive credit for continuing education received in a program which has not been approved pursuant to subsection 2 or accredited pursuant to subsection 3 must submit a request for accreditation of continuing education units to the board before the board will award credit for the continuing education. A request made pursuant to this subsection must be submitted on a special form available from the office of the board.

Sec. 11. NAC 654.155 is hereby amended to read as follows:

654.155 In addition to the requirements of NRS 654.155 ~~and~~ **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 a written examination concerning the statutes and regulations relating to residential group care and any other standards of care which apply to operators of residential facilities;
3. Provide a statement to the board indicating that to the best of his knowledge he is of good health and free from contagious disease;
4. Indicate whether he suffers from any mental impairment that would affect his ability to perform the duties of an administrator of a residential facility for groups;
5. Provide proof that he is able to communicate adequately in the English language both verbally and in writing;
6. Indicate whether he 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 by any authority in any state;

7. Provide a statement to the board indicating whether he has ever been convicted of a felony or any offense involving moral turpitude; and

8. Have:

(a) At least 2 years of experience in residential caregiving *or as an administrator of a residential facility for groups* within the 6-year period immediately preceding the date he submits his application; or

(b) Completed 40 hours of study ~~[in one or more programs]~~ *or training* approved by the board ~~[which provide instruction in residential group care.]~~ *that includes at least one of the topics set forth in subsection 3 of NAC 654.152.*

Sec. 12. NAC 654.162 is hereby amended to read as follows:

654.162 1. Examinations for licensure as an administrator of a residential facility for groups will be held at least twice each year at such times and places as the board designates.

~~[Before June 1, 1998, the fee for each examination is \$50. On or after June 1, 1998, the]~~ *The* fee for each examination is \$200 or the fee established by the Professional Examination Service, whichever is higher.

2. A passing grade will be determined by the National Association of Boards of Examiners for Long-Term Care ~~[H]~~ *Administrators*. An applicant who fails the examination may obtain his score if he makes a written request to the board within 45 days after the board notifies him that he failed the examination.

3. An applicant who fails the examination may retake the examination not more than three times within the year after the date on which he first took the examination. An applicant must pay the fee for the examination each time he retakes the examination.

Sec. 13. Notwithstanding the amendatory provisions of NAC 654.100 and 654.155, any license issued by the Nevada state board of examiners for administrators of facilities for long-term care pursuant to this chapter and chapter 654 of NRS before the effective date of those amendatory provisions is valid until the expiration of the license.

Sec. 14. 1. This section and sections 1 to 5, inclusive, 7, 8, 9, 11, 12 and 13 of this regulation become effective on the date that this regulation is filed with the secretary of state.

2. Sections 6 and 10 of this regulation become effective on January 1, 2001.