

**LCB File No. R129-09**

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

**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 654.020 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 Health Division 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 ~~[Nevada State Board of Examiners for Administrators of Facilities for Long-Term Care.]~~ *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)

*NAC. 654.021 "NAB" defined. National Association of Long Term Care Administrators Boards*

*NAC. 654.022 "AIT" defined. Administrator in Training*

*NAC 654.023 "Mentor" defined. A facility administrator who is licensed in this State and has practiced as an administrator for at least 2 years who will supervise the training of each AIT.*

**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 654.030 “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)

## NURSING FACILITY ADMINISTRATORS

### **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 he:

(a) Is 21 years of age or older;

(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,]~~ 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:

(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 certificate issued by the American College of Health Care Administrators for the completion of the program for the certification of nursing home administrators; and

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

2. In addition to the requirements set forth in NRS 654.150 and 654.180, a program for training administrators described in subsection 1 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 Administrators Boards*; and

(b) At least 1,000 hours of training in a period of not less than *20 weeks* ~~[26-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.

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 2 years 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.

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. *The Board accepts all NAB approved AIT programs. All other AIT programs must be submitted and reviewed for approval by the Board*** ~~[Before the Board approves a independent program for training administrators described in subsection 1, the Board will conduct an on-site evaluation of the training program.]~~

[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)

**NAC 654.110 Additional requirements for licensure; fee.** (NRS 654.110, 654.140, 654.150)

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 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 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 and must be submitted to the Board with the application. The fee accompanying the application is not refundable.

[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)

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

1. An applicant who wishes to obtain a license as a nursing facility administrator without taking the examination required by NRS 654.150 must submit an application to the Board with the applicable fees and evidence satisfactory to the Board that:

(a) He has obtained a bachelor of arts or bachelor of science degree from a college or university accredited by the United States Department of Education.

(b) He 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 Administrators Boards* to obtain such a license.

(c) His score on the examination administered by the *National Association of Long Term Care Administrators 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 Administrators Boards*

(d) His license in that state is in good standing and has been in good standing for the 2 years immediately preceding the date that he submits his application to the Board.

(e) He was licensed as a full-time administrator of record of a nursing facility for the 2 years immediately preceding the date that he submits his 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) He 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)

**NAC 654.112 Renewal of license; fee; use of title; expiration and reinstatement of license. (NRS 654.110, 654.150, 654.170)**

1. A nursing facility administrator may renew his license by submitting to the Board:

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

(b) A nonrefundable renewal fee of ~~[\$250]~~ \$350;

(c) Evidence satisfactory to the Board that during the 2 years immediately preceding the application for renewal he 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 license pursuant to this section must submit to the Board 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.

3. Only a person who has qualified as a licensed nursing facility administrator and who holds a 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.

4. If a nursing facility administrator does not renew his license on or before the date for renewal of the license, the license automatically expires and may be reinstated by the Board if the licensee submits an application for reinstatement and complies with the provisions of NAC 654.100 and 654.110 and complies with the provisions of NAC 654.140, unless exempted pursuant to NAC 654.111.

[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)

**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 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 or 30 continuing education units in a program accredited pursuant to subsection 5, or a combination of both.

3. A program of study for continuing education must be approved by the Board. *The only pre-approved programs would be those previously reviewed and approved by the National Association of Long Term Care Administrator Boards (NAB).* ~~[A program of study is deemed approved by the Board if the program is offered by:~~

~~—(a) The Board;~~

~~—(b) The American Hospital Association;~~

~~—(c) The Nevada Geriatric Education Center;~~

~~—(d) The Nevada System of Higher Education;~~

~~—(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;~~

~~—unless the Board determines that the content of the program is not relevant or appropriate to the administration, supervision and management of a nursing facility or that the program does not grant a number of educational credits which corresponds to the number of classroom hours that the program requires.]~~

4. 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;

(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 a meeting of an organization concerned with long-term care, with 1 hour allowed for each hour spent presenting the paper.

5. The Board will ~~[accredit]~~ **approve** 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 *nursing facility continuing education* programs ~~[for~~

~~continuing education~~ *must be related to the long term care field and* units may include, without limitation:

- (a) ~~The~~ Administration ~~of nursing facilities~~;
- (b) ~~The~~ Clinical management ~~of nursing facilities~~;
- (c) ~~The~~ Human resource management ~~of nursing facilities~~;
- (d) ~~The~~ Financial management ~~of nursing facilities~~;
- (e) Environmental services; ~~and~~
- (f) Psychosocial care;
- (g) *Recreational activities; and*
- (h) *Ethics.*

[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)

#### **NAC 654.140 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 Administrators Boards* or any testing service approved by the Board; and

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

3. 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.

[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)

### **ADMINISTRATORS OF RESIDENTIAL FACILITIES FOR GROUPS**

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

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. *Illegible or incomplete applications will be returned. Licensee applicants who do not complete the licensure process within 2 years of initial filing of the application will expire. Applicant must re-apply and pay all fees after expiration of the 2 years.*

2. Except as otherwise provided in NAC 654.169, a licensee may renew his license by submitting to the Board:



- (a) An application for the renewal of his license;
- (b) A nonrefundable renewal fee of ~~[\$250]~~ \$350;
- (c) 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 6, or a combination of both, in the 2 years immediately preceding his application for renewal; and
- (d) If applicable, the information required pursuant to subsection 3.

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

4. If an administrator of a residential facility for groups does not renew his license on or before the date for renewal of the license, the license automatically expires and may be reinstated by the Board if the licensee submits an application for reinstatement and complies with subsection 1 and NAC 654.155 and complies with the provisions of NAC 654.162, unless exempted pursuant to NAC 654.157.

5. A program of study for continuing education must be approved by the Board. ~~[A program of study is deemed approved by the Board if the program is offered by:~~

- ~~—(a) The Board;~~
- ~~—(b) The American Hospital Association;~~
- ~~—(c) The Nevada Geriatric Education Center;~~
- ~~—(d) The Nevada System of Higher Education;~~
- ~~—(e) Any agency of the State of Nevada;~~
- ~~—(f) The American Nurses Association; or~~
- ~~—(g) The National Association of Boards of Examiners of Long Term Care Administrators;~~
- ~~—unless the Board determines that the content of the program is not relevant or appropriate to the administration, supervision and management of a residential facility for groups or that the program does not grant a number of educational credits which corresponds to the number of classroom hours that the program requires.]~~

6. The Board will ~~[accredit]~~ *approve* 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 *must be related to the long term care field and* 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;
- (g) *Recreational activities; and*
- (h) *Ethics.*

*7. Up to 10 credits of CEU's may be granted by the Board for qualified Mentors who provide at least 40 hours of mentor service in the previous 2 years*

~~[7.]~~ 8 A person who wishes to receive credit for continuing education received in a program which has not been approved pursuant to subsection 5 or accredited pursuant to subsection 6

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.

(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)

**NAC 654.155 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 a written examination~~ *Attend a Board sponsored training* concerning the statutes and regulations relating to residential group care and any other standards of care which apply to operators of residential facilities *and pass an examination administered by the National Association of Long Term Care Administrators Boards* ;

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 or training approved by the Board that includes at least one of the topics set forth in subsection 6 of NAC 654.152.

*(c) Complete 40 hours of study under a mentor approved by the Board*

**9. Criteria for Mentor/Preceptor qualifications shall be as follows:**

*(a) Certify that no revocation proceeding, suspension of admissions or restricted license has been initiated or is in effect against him/her and/or facilities under his license;*

*(b) Express him/herself well and be willing to teach others;*

*(c) Be an Administrator with a license in good standing in the State of Nevada*

*(d) Successfully complete a preceptor/mentor training course approved by BELTCA within the past two years;*

*(e) A preceptor/mentor shall be re-certified biennially by the Board.*

(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)

**NAC 654.157 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) He is 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 Boards of Examiners of Long Term Care Administrators]~~ *National Association of Long Term Care Administrators Boards* to obtain such a license;

(b) His license in that state is in good standing; and

(c) 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.

2. An applicant who wishes to be licensed pursuant to this section will be denied licensure if he has a record of any disciplinary, civil or criminal action taken against him 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)

**NAC 654.162 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 least twice each year]~~ at such times and places as the Board designates. The fee for each examination ~~[is \$200 or the fee]~~ *will be established by the Board* ~~[established by the Professional Examination Service, whichever is higher]~~. The fee is not refundable.

2. A passing grade will be determined by the ~~[National Association of Boards of Examiners of Long Term Care Administrators]~~ *National Association of Long Term Care Administrators Boards*

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.

(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)

**NAC 654.165 Use of title.** (NRS 654.110) Only a person who holds a valid license 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 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.

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

**NAC 654.166 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 chapter 449 of NAC; 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)

### **PROVISIONS APPLICABLE TO BOTH 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 receipt of the report of the Federal Bureau of Investigation concerning the criminal history of the applicant if the Board determines that the applicant is otherwise qualified. 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 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 license to inactive for a time not to exceed 2 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 license to active status if the licensee meets the requirements of 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)

**NAC 654.169 Renewal of license.** (NRS 654.110, 654.170) 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 license as a nursing facility administrator and his license as an administrator of a residential facility for groups if he has completed a total of 30 continuing education units in programs approved by the Board pursuant to NAC 654.130 or 654.152.

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

**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 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) *National Association of Long Term Care Administrators Boards*

**NAC 654.181 Notification of Board regarding certain changes in circumstances.** (NRS 654.110) Each person licensed as a nursing facility administrator or an administrator of a residential facility for groups shall notify the Board, in writing:

1. Of any change in his residential address within 15 days after such a change; or
2. Any time he becomes the administrator of record of a different facility within 15 days after such an event. : *Failure to do so may result in an administrative fine.*

(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 654.190 Display of license.** (NRS 654.110) Each person licensed as a nursing facility administrator or an administrator of a residential facility for groups shall conspicuously display his original license in a public place within the facility of which he is the administrator of record. *This original license will also indicate the name and address of the facility. Failure to publicly display said license may result in an administrative fine.*

[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)

**NAC 654.200 Issuance of duplicate license; fee.** (NRS 654.110) After the receipt of satisfactory evidence that a license has been lost, mutilated or destroyed, 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)

**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 nursing facility administrator or an administrator of a residential facility for groups if, after notice and hearing, 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 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) Conviction for violation of any federal or state law or regulation governing the prescription, possession, distribution or use of a controlled substance or any dangerous drug as defined in chapter 454 of NRS, within the past 7 years;
  - (e) Failure to notify the Board of the loss of a license issued by the Bureau of Licensure and Certification of the Health Division of the Department of Health and Human Services;

(f) Failure to notify the Board of a change in circumstances as required pursuant to NAC 654.181;

(g) Paying or giving, or causing to be paid or given, a commission or other valuable consideration for the solicitation or procurement of a patient or resident if the source and amount of the commission was not fully disclosed, both verbally and in writing, to the patient or resident, his family or his agent;

(h) Referring a patient or resident to a facility in which the applicant or licensee is employed or otherwise has an interest if the employment or interest was not disclosed, both verbally and in writing, to the patient or resident, his family or his agent by the applicant or licensee or his representative;

(i) Engaging in fraudulent, misleading or deceptive advertising;

(j) Receiving a conviction in any jurisdiction for a felony or for any offense involving moral turpitude, including, without limitation:

(1) Murder, voluntary manslaughter or mayhem;

(2) Assault with intent to kill or to commit sexual assault or mayhem;

(3) Sexual assault, statutory sexual seduction, incest, lewdness, indecent exposure or any other sexually related crime;

(4) Abuse or neglect of a child or contributory delinquency;

(5) A violation of any provision of NRS 200.50955 or 200.5099;

(6) Any offense involving fraud, theft, embezzlement, burglary, robbery, fraudulent conversion or misappropriation of property, within the immediately preceding 7 years; and

(7) Any other felony involving the use of a firearm or other deadly weapon, within the immediately preceding 7 years;

(k) Receiving a conviction in any jurisdiction for:

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

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

(l) Failing to protect the privacy of a resident or patient;

(m) Violating the confidentiality of a resident or patient;

(n) Failing to maintain records as required by law;

(o) Falsifying or altering the records of a resident or patient;

(p) Failing to protect a resident or patient from the incompetent, abusive or illegal practice of any person;

(q) Engaging in sexual contact with a resident or patient;

(r) 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;

(s) Abusing, exploiting, isolating or neglecting a resident or patient as defined in NRS 200.5092; or

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

3. Has a record of any disciplinary, civil or criminal action taken against him that has been reported to or is required pursuant to the law of any jurisdiction to be reported 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 which the Board determines is contrary to the qualifications of an applicant or licensee.

[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)

**NAC 654.220 Complaints: Filing; investigation; formal hearing; service of notice; disciplinary action or dismissal of charges; report of discipline imposed.** (NRS 654.110)

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 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. *Should the complaint be substantiated, supportive documents may be obtained by subpoena per NRS 654.190.* 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 will bring charges against the licensee. If charges are brought against the licensee, the Board will:

(a) Set a time and place for a formal hearing;

(b) ~~[Serve a copy of t] The complaint upon the licensee [by personal service not less than 10 business days before the hearing or by certified mail to the last known address of the licensee not less than 21 business days before the hearing; and ]~~ *will be issued in accordance with the provisions set forth in NRS 644.190(2).*

(c) Conduct the hearing in compliance with the provisions of chapter 233B of NRS.

5. If the Board determines by a finding of substantial evidence 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 restrictions placed on the number of facilities for which he may act as administrator*

(b) Receive a public reprimand.

(c) Have restrictions placed on his 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 license revoked.

(f) Participate in a substance abuse program.

(g) Pay an administrative fine of not more than ~~[\$2,500]~~ *\$10,000 per occurrence (NRS 654.190(1)).*

6. If the Board determines 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.

7. 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.

[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)

***NAC650.221 Administrative Fines .***

***1. The Board may require a licensee to pay administrative fines in the amount set forth in this subsection for each violation of the following provisions,***

***First Offense***

***NAC 654.181 NRS 654.110)..... \$500.00***

***NAC 654.250..... \$500.00***

***NAC 654.190..... \$250.00***

***NAC 654.165.....\$500.00***

***Second Offense***

***All above NAC (s) may be doubled or a complaint filed***

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

1. A 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 license. The Board may reinstate his license if he has:

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

(b) Applied for a license;

(c) **Successfully** passed the examination for licensure; and

(d) Meets all the other requirements for licensure as a 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 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)

**NAC 654.250 Limitations on administration of multiple facilities; secondary administrator’s license; fee; waiver. (NRS 654.110)**



1. Except as otherwise provided in subsection 6, a person licensed as a 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. Except as otherwise provided in subsections 3 and 6, a person licensed as an administrator of a residential facility for groups may be an administrator of record for not more than 150 beds located in not more than five residential facilities for groups.

3. Effective June 1, 1998, if a person licensed as 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 is operating more than one residential facility for groups; *failure of which to do so in a timely manner may result in an administrative fine*, and

(b) Obtain a secondary administrator's license for each additional residential facility for groups that he is operating by paying a nonrefundable fee of ~~[\$25]~~ \$100 for each license.

4. The Board will label each secondary administrator's license issued pursuant to subsection 3 as an "A," "B," "C" or "D" license.

5. An administrator of a residential facility for groups who obtains a secondary administrator's license pursuant to subsection 3 shall surrender and return each secondary administrator's license to the Board upon:

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

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

6. Upon application to the Board, a 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.

(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)