

NURSING HOME ADMINISTRATORS

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CHAPTER 141
LICENSURE OF NURSING HOME ADMINISTRATORS
[Prior to 8/24/88, see Nursing Home Administrators Board of Examiners[600], Ch 2]

645—141.1(155) Definitions. For purposes of these rules, the following definitions shall apply:

“*Active license*” means a license that is current and has not expired.

“*Administrator*” means a licensed nursing home administrator.

“*Board*” means the board of nursing home administrators.

“*CNHA*” means a certified nursing home administrator.

“*Grace period*” means the 30-day period following expiration of a license when the license is still considered to be active. In order to renew a license during the grace period, a licensee is required to pay a late fee.

“*Inactive license*” means a license that has expired because it was not renewed by the end of the grace period. The category of “inactive license” may include licenses formerly known as lapsed, inactive, delinquent, closed, or retired.

“*Licensee*” means any person licensed to practice as a nursing home administrator in the state of Iowa.

“*License expiration date*” means December 31 of odd-numbered years.

“*Licensure by endorsement*” means the issuance of an Iowa license to practice nursing home administration to an applicant who is or has been licensed in another state.

“*NAB*” means National Association of Boards of Examiners of Long Term Care Administrators.

“*Reactivate*” or “*reactivation*” means the process as outlined in rule 141.15(17A,147,272C) by which an inactive license is restored to active status.

“*Reciprocal license*” means the issuance of an Iowa license to practice nursing home administration to an applicant who is currently licensed in another state which has a mutual agreement with the Iowa board of nursing home administrators to license persons who have the same or similar qualifications to those required in Iowa.

“*Reinstatement*” means the process as outlined in 645—11.31(272C) by which a licensee who has had a license suspended or revoked or who has voluntarily surrendered a license may apply to have the license reinstated, with or without conditions. Once the license is reinstated, the licensee may apply for active status.

[ARC 7576B, IAB 2/11/09, effective 3/18/09]

645—141.2(155) Requirements for licensure. The following criteria shall apply to licensure:

1. An applicant shall complete a board-approved application packet. Application forms may be obtained from the board’s Web site (<http://www.idph.state.ia.us/licensure>) or directly from the board office. All applications shall be sent to the Board of Nursing Home Administrators, Professional Licensure Division, Fifth Floor, Lucas State Office Building, Des Moines, Iowa 50319-0075;

2. An applicant shall complete the application form according to the instructions contained in the application. If the application is not completed according to the instructions, the application will not be reviewed by the board;

3. Each application shall be accompanied by the appropriate fees payable to the Board of Nursing Home Administrators. The fees are nonrefundable;

4. The applicant shall have official copies of academic transcripts sent directly from the school(s) to the board;

5. The applicant shall provide satisfactory evidence of the completion of the long-term care practicum;

6. An applicant shall successfully pass the approved national examination;

7. Licensees who were issued their initial licenses within six months prior to the renewal date shall not be required to renew their licenses until the renewal date two years later.

8. Incomplete applications that have been on file in the board office for more than two years shall be:

- Considered invalid and shall be destroyed; or
- Maintained upon request of the applicant. The applicant is responsible for requesting that the file be maintained.

9. Notification of eligibility for licensure shall be sent to the licensee by the board.

[ARC 7576B, IAB 2/11/09, effective 3/18/09]

645—141.3(147,155) Examination requirements. The following criteria shall apply to the written examination:

1. In order to be eligible to take the written examination, the supporting data and documentation required by the board are completed and on file at the board office.

2. The supporting data and documentation must be received at least 30 days prior to the date the applicant desires board eligibility determination for the examination.

3. Notification shall be sent by the board office to the examination service of an applicant's eligibility for the examination.

4. Each applicant who fails the national examination may apply to the board for reexamination. The applicant shall not take the national examination more than three times. If the applicant fails a third national examination, education in areas established by the board must be obtained before another examination will be allowed or a license is issued.

[ARC 7576B, IAB 2/11/09, effective 3/18/09]

645—141.4(155) Educational qualifications. An applicant for licensure as a nursing home administrator shall fulfill the educational requirements of one of the following:

141.4(1) *Applicants with degrees in health care administration, health services administration, health care management, health services management, nursing home administration or long-term care administration.* An applicant for licensure to practice as a nursing home administrator shall possess a baccalaureate or postbaccalaureate degree in a qualifying degree program from a college or university currently accredited by one of the following: a regional accrediting agency, an organization affiliated with the National Commission on Accrediting (Council of Post-secondary Accreditation), or the National Association of Boards of Examiners of Long Term Care Administrators. The practicum requirements are as follows:

a. The applicant shall complete 720 clock hours of long-term health care practicum. There are nine areas of practicum requiring 80 clock hours each: social services; dietary; legal aspects and government organizations; nursing; environmental services; activities/community resources; business administration; administrative organization; and human resource management; or

b. Rescinded IAB 8/17/05, effective 9/21/05.

c. The school may waive up to 320 clock hours of practicum based on prior academic coursework or experience. The designated faculty shall provide written verification of completion of a minimum of 400 clock hours of practicum and that each of the nine required areas of practicum has been satisfied; or

d. Substitution of one year of long-term health care administration experience may be allowed at the discretion of the board. An applicant must submit to the board the following:

(1) Written verification provided directly from the facility owner, chief operating officer, human resources officer, or board president that states the dates of service, facility name(s), and position(s) held; and

(2) A written attestation provided directly from a licensed nursing home administrator to verify the completion of the equivalent of a minimum of 80 clock hours in each of the nine areas of practicum as specified in 141.4(1)“*a.*”

141.4(2) Applicants with degrees in other disciplines. An applicant shall possess a baccalaureate degree in any other discipline from a college or university currently accredited by a regional accrediting agency or organization affiliated with the National Commission on Accrediting (Council of Post-secondary Accreditation). The applicant's coursework shall show satisfactory completion of the following:

a. Ten semester hours of business management, accounting or business law or any combination thereof;

b. Six semester hours of gerontology or aging-related coursework in disciplines including but not limited to the sciences and humanities;

c. Twelve semester hours in health care administration including but not limited to the areas of organizational management, regulatory management, human resources management, resident care management, environmental services management, and financial management; and

d. Practicum. The applicant shall complete a practicum as follows:

(1) The applicant shall complete 720 clock hours of long-term health care practicum. There are nine areas of practicum requiring 80 clock hours each: social services; dietary; legal aspects and government organizations; nursing; environmental services; activities/community resources; business administration; administrative organization; and human resource management; or

(2) Rescinded IAB 8/17/05, effective 9/21/05.

(3) The school may waive up to 320 clock hours of practicum based on prior academic coursework or experience. The designated faculty shall provide written verification of completion of a minimum of 400 clock hours of practicum and that each of the nine required areas of practicum has been satisfied; or

(4) Substitution of one year of long-term health care administration experience may be allowed at the discretion of the board. An applicant must submit to the board the following:

1. Written verification provided directly from the facility owner, chief operating officer, human resources officer, or board president that states the dates of service, facility name(s), and position(s) held; and

2. A written attestation provided directly from a licensed nursing home administrator to verify the completion of the equivalent of a minimum of 80 clock hours in each of the nine areas of practicum as specified in 141.4(2)“d”(1).

141.4(3) Foreign-trained applicants. Foreign-trained nursing home administrators shall:

a. Provide an equivalency evaluation of their educational credentials by International Educational Research Foundations, Inc., Credentials Evaluation Service, P.O. Box 3665, Culver City, California 90231-3665, telephone (310)258-9451, Web site www.ierf.org, or E-mail at info@ierf.org. The professional curriculum must be equivalent to that stated in these rules. A candidate shall bear the expense of the curriculum evaluation.

b. Provide a notarized copy of the certificate or diploma awarded to the applicant from a nursing home administration program in the country in which the applicant was educated.

c. Receive a final determination from the board regarding the application for licensure.

645—141.5(155) Practicum experience.

141.5(1) The practicum experience shall be performed under the supervision of a preceptor (licensed administrator) in a licensed nursing home in accordance with the following:

a. The facility must have a licensed capacity of no fewer than 25 beds.

b. The facility cannot be owned or operated by a parent, spouse or sibling of the student.

c. Rescinded IAB 8/17/05, effective 9/21/05.

d. The practicum student may be compensated while completing the practicum experience.

e. The preceptor (licensed administrator):

(1) Shall hold a current license in good standing as a nursing home administrator;

(2) Shall have at least two years' experience as a licensed nursing home administrator; and

(3) Cannot be related to the student as a parent, spouse or sibling.

141.5(2) Rescinded IAB 8/17/05, effective 9/21/05.

645—141.6(155) Provisional administrator. Under certain limited circumstances, and only upon the filing of an application requesting approval, a provisional administrator may be appointed to serve as the administrator of a nursing home. A provisional administrator is considered a temporary appointment, and the person appointed may serve as an administrator for a period of time not to exceed 12 months. The 12-month appointment runs from the date approved by the board, and the 12 months in service do not need to be consecutive. The person serving as a provisional administrator shall not be permitted to serve in that capacity for more than a total of 12 months in an entire career. It is the responsibility of an approved provisional administrator to maintain documentation of the actual dates the administrator serves in that capacity.

141.6(1) The limited circumstances under which the request for a provisional appointment shall be granted include the inability of the licensed administrator to perform the administrator's duties, the death of the licensed administrator or circumstances which prevent the immediate transfer of the licensed administrator's duties to another licensed administrator.

141.6(2) Applications for a provisional appointment shall be in writing on a form prescribed by the board. Applicants shall meet the following minimum qualifications:

- a. Be at least 18 years of age.
- b. Be employed on a full-time basis of no less than 32 hours per week to perform the duties of the nursing home administrator.
- c. Be knowledgeable of the nursing home administrator's domains of practice including resident care management, human resources management, financial management, environmental management, regulatory management and organizational management.
- d. Be without a history of unprofessional conduct or denial of or disciplinary action against a license to practice nursing home administration or any other profession by any lawful licensing authority for reasons outlined in 645—Chapter 144.
- e. Provide evidence to establish that the provisional appointment will not exceed the maximum lifetime period of 12 calendar months in duration. Official employment verification is required for any period in which the applicant previously served as a provisional administrator.
- f. Provide evidence that the time period of the provisional appointment complies with the requirements in 481—subrule 58.8(4). A written attestation of the facility owner or chief operating officer shall satisfy this requirement.

141.6(3) The board expressly reserves the right to withdraw approval of a provisional appointment. Withdrawal of approval shall be based on information or circumstances warranting such action. The provisional administrator shall be notified in writing by certified mail.

645—141.7(155) Licensure by endorsement. An applicant who has been a licensed nursing home administrator under the laws of another jurisdiction shall file an application for licensure by endorsement with the board office. The board may receive by endorsement any applicant from the District of Columbia or another state, territory, province or foreign country who:

1. Submits to the board a completed application;
2. Pays the licensure fee;
3. Provides evidence of a minimum of a bachelor's degree from a college or university accredited by the United States Department of Education. An official copy of the academic transcript denoting date of graduation and the degree conferred shall be sent directly from the school to the board office;
4. Provides evidence of an active license as a nursing home administrator for at least two years just prior to application, or meets the qualifications outlined in rule 141.4(155);
5. Provides verification of license(s) from every jurisdiction in which the applicant has been licensed, sent directly from the jurisdiction(s) to the board office. Web-based verification may be substituted for verification direct from the jurisdiction's board office if the verification provides:
 - Licensee's name;
 - Date of initial licensure;
 - Current licensure status; and
 - Any disciplinary action taken against the license; and

6. Provides one of the following:
- The official NAB examination score sent directly from NAB to the board or from the state in which the applicant was first licensed; or
 - Evidence of certification as a nursing home administrator (CNHA) in good standing with the American College of Health Care Administrators.

645—141.8(147,155) Licensure by reciprocal agreement. The board may enter into a reciprocal agreement with the District of Columbia or any state, territory, province or foreign country with equal or similar requirements for licensure of nursing home administrator applicants.
[ARC 7576B, IAB 2/11/09, effective 3/18/09]

645—141.9(147,155) License renewal.

141.9(1) The biennial license renewal period for a license to practice nursing home administration shall begin on January 1 of each even-numbered year and end on December 31 of the next odd-numbered year. All licensees shall renew on a biennial basis. The licensee is responsible for renewing the license prior to its expiration. Failure of the licensee to receive notice from the board does not relieve the licensee of the responsibility for renewing the license.

141.9(2) An individual who was issued a license within six months of the license renewal date will not be required to renew the license until the subsequent renewal two years later.

141.9(3) A licensee seeking renewal shall:

a. Meet the continuing education requirements of rule 645—143.2(272C) and the mandatory reporting requirements of subrule 141.9(8). A licensee whose license was reactivated during the current renewal compliance period may use continuing education credit earned during the compliance period for the first renewal following reactivation; and

b. Submit the completed renewal application and renewal fee before the license expiration date.

141.9(4) Upon receiving the information required by this rule and the required fee, board staff shall administratively issue a two-year license and shall send the licensee a wallet card by regular mail. In the event the board receives adverse information on the renewal application, the board shall issue the renewal license but may refer the adverse information for further consideration or disciplinary investigation.

141.9(5) Late renewal. The license shall become late when the license has not been renewed by the expiration date on the wallet card. The licensee shall be assessed a late fee as specified in 645—subrule 145.1(3). To renew a late license, the licensee shall complete the renewal requirements and submit the late fee within the grace period.

141.9(6) Inactive license. A licensee who fails to renew the license by the end of the grace period has an inactive license. A licensee whose license is inactive continues to hold the privilege of licensure in Iowa, but may not practice as a nursing home administrator in Iowa until the license is reactivated. A licensee who practices as a nursing home administrator in the state of Iowa with an inactive license may be subject to disciplinary action by the board, injunctive action pursuant to Iowa Code section 147.83, criminal sanctions pursuant to Iowa Code section 147.86, and other available legal remedies.

141.9(7) Persons licensed to practice as nursing home administrators shall keep their renewal licenses displayed in a conspicuous public place at the primary site of practice.

141.9(8) Mandatory reporter training requirements.

a. A licensee who, in the scope of professional practice or in the licensee's employment responsibilities, attends, counsels or treats children in Iowa shall indicate on the renewal application completion of two hours of training in child abuse identification and reporting in the previous five years or condition(s) for waiver of this requirement as identified in paragraph "e."

b. A licensee who, in the course of employment, examines, attends, counsels or treats adults in Iowa shall indicate on the renewal application completion of two hours of training in dependent adult abuse identification and reporting in the previous five years of condition(s) for waiver of this requirement as identified in paragraph "e."

c. A licensee who, in the scope of professional practice or in the course of employment, examines, attends, counsels or treats both adults and children in Iowa shall indicate on the renewal application

completion of training in abuse identification and reporting for dependent adults and children in the previous five years or condition(s) for waiver of this requirement as identified in paragraph “e.”

Training may be completed through separate courses as identified in paragraphs “a” and “b” or in one combined two-hour course that includes curricula for identifying and reporting child abuse and dependent adult abuse. The course shall be a curriculum approved by the Iowa department of public health abuse education review panel.

d. The licensee shall maintain written documentation for five years after mandatory training as identified in paragraphs “a” to “c,” including program date(s), content, duration, and proof of participation.

e. The requirement for mandatory training for identifying and reporting child and dependent adult abuse shall be suspended if the board determines that suspension is in the public interest or that a person at the time of license renewal:

(1) Is engaged in active duty in the military service of this state or the United States.

(2) Holds a current waiver by the board based on evidence of significant hardship in complying with training requirements, including an exemption of continuing education requirements or extension of time in which to fulfill requirements due to a physical or mental disability or illness as identified in 645—Chapter 143.

f. The board may select licensees for audit of compliance with the requirements in paragraphs “a” to “e.”

[ARC 7576B, IAB 2/11/09, effective 3/18/09; ARC 0024C, IAB 2/22/12, effective 3/28/12 (See Delay note at end of chapter)]

645—141.10(272C) Exemptions for inactive practitioners. Rescinded IAB 8/17/05, effective 9/21/05.

645—141.11(272C) Lapsed licenses. Rescinded IAB 8/17/05, effective 9/21/05.

645—141.12(155) Duplicate certificate or wallet card. Rescinded IAB 2/11/09, effective 3/18/09.

645—141.13(155) Reissued certificate or wallet card. Rescinded IAB 2/11/09, effective 3/18/09.

645—141.14(272C) License denial. Rescinded IAB 2/11/09, effective 3/18/09.

645—141.15(17A,147,272C) License reactivation. To apply for reactivation of an inactive license, a licensee shall:

141.15(1) Submit a reactivation application on a form provided by the board.

141.15(2) Pay the reactivation fee that is due as specified in 645—Chapter 5.

141.15(3) Provide verification of current competence to practice as a nursing home administrator by satisfying the following criteria:

a. Verification of the license(s) from every jurisdiction in which the applicant is or has been licensed and is or has been practicing during the time period the Iowa license was inactive, sent directly from the jurisdiction(s) to the board office. Web-based verification may be substituted for verification from a jurisdiction’s board office if the verification includes:

(1) Licensee’s name;

(2) Date of initial licensure;

(3) Current licensure status; and

(4) Any disciplinary action taken against the license; and

b. Verification of completion of 40 hours of continuing education within two years of the application for reactivation.

[ARC 7576B, IAB 2/11/09, effective 3/18/09]

645—141.16(17A,147,272C) License reinstatement. A licensee whose license has been revoked, suspended, or voluntarily surrendered must apply for and receive reinstatement of the license in

accordance with 645—11.31(272C) and must apply for and be granted reactivation of the license in accordance with 141.15(17A,147,272C) prior to practicing as a nursing home administrator in this state.

These rules are intended to implement Iowa Code chapters 17A, 147, 155, and 272C.

[Filed 2/23/71]

[Filed 3/19/76, Notice 2/9/76—published 4/5/76, effective 5/10/76]

[Filed 11/18/76, Notice 9/22/76—published 12/15/76, effective 1/19/77]

[Filed 8/28/78, Notice 3/8/78—published 9/20/78, effective 10/25/78]

[Filed 12/8/78, Notice 9/20/78—published 12/27/78, effective 1/31/79]

[Filed 10/19/79, Notice 8/22/79—published 11/14/79, effective 12/21/79¹]

[Filed emergency 12/18/79—published 1/9/80, effective 12/18/79]

[Filed 5/7/80, Notice 4/2/80—published 5/28/80, effective 7/7/80]

[Filed emergency 6/9/80—published 7/9/80, effective 7/7/80]

[Filed 3/13/81, Notice 12/24/80—published 4/1/81, effective 5/7/81]

[Filed 8/14/81, Notice 6/10/81—published 9/2/81, effective 10/7/81]

[Filed 3/18/82, Notice 2/3/82—published 4/14/82, effective 5/19/82]

[Filed 10/6/83, Notice 7/20/83—published 10/26/83, effective 12/1/83]

[Filed emergency 11/30/83 after Notice 10/26/83—published 12/21/83, effective 11/30/83]

[Filed 5/11/84, Notice 3/14/84—published 6/6/84, effective 7/12/84]

[Filed 7/13/84, Notice 6/6/84—published 8/1/84, effective 9/5/84][◇]

[Filed 11/8/84, Notice 9/12/84—published 12/5/84, effective 1/9/85]

[Filed 1/11/85, Notice 11/7/84—published 1/30/85, effective 3/6/85]

[Filed 4/4/85, Notice 12/5/84—published 4/24/85, effective 5/29/85]

[Filed 7/10/85, Notice 6/5/85—published 7/31/85, effective 9/4/85]

[Filed 1/17/86, Notice 8/14/85—published 2/12/86, effective 3/21/86]

[Filed 8/5/88, Notice 3/23/88—published 8/24/88, effective 9/28/88]

[Filed 2/17/89, Notice 12/14/88—published 3/8/89, effective 4/12/89]

[Filed 11/22/89, Notice 9/20/89—published 12/13/89, effective 1/17/90]

[Filed 4/13/90, Notice 2/21/90—published 5/2/90, effective 6/6/90]

[Filed 7/20/90, Notice 4/4/90—published 8/8/90, effective 9/12/90][◇]

[Filed 3/15/91, Notice 12/26/90—published 4/3/91, effective 5/8/91]

[Filed emergency 8/16/91—published 9/4/91, effective 8/16/91]

[Filed 2/13/92, Notice 12/25/91—published 3/4/92, effective 4/8/92]

[Filed 8/25/95, Notice 3/15/95—published 9/13/95, effective 10/18/95²]

[Filed 9/4/98, Notice 7/15/98—published 9/23/98, effective 10/28/98]

[Filed 6/11/99, Notice 4/7/99—published 6/30/99, effective 8/4/99]

[Filed 10/29/99, Notice 9/8/99—published 11/17/99, effective 12/22/99]

[Filed 9/29/00, Notice 7/26/00—published 10/18/00, effective 11/22/00]

[Filed 5/11/01, Notice 3/21/01—published 5/30/01, effective 7/4/01]

[Filed 10/21/04, Notice 8/18/04—published 11/10/04, effective 12/15/04]

[Filed 7/21/05, Notice 4/27/05—published 8/17/05, effective 9/21/05][◇]

[Filed 1/20/06, Notice 11/9/05—published 2/15/06, effective 3/22/06]

[Filed 10/19/06, Notice 8/2/06—published 11/8/06, effective 12/13/06]

[Filed ARC 7576B (Notice ARC 7285B, IAB 10/22/08), IAB 2/11/09, effective 3/18/09]

[Filed ARC 0024C (Notice ARC 9801B, IAB 10/5/11), IAB 2/22/12, effective 3/28/12]³

[Editorial change: IAC Supplement 3/21/12]

[◇] Two or more ARCs

¹ Effective date of rule 600—2.7 delayed by the Administrative Rules Review Committee 70 days.

² Effective date of 645—subrule 141.3(2), delayed until adjournment of the 1996 General Assembly by the Administrative Rules Review Committee at its meeting held October 10, 1995.

³ March 28, 2012, effective date of 141.9(1) delayed 70 days by the Administrative Rules Review Committee at its meeting held March 12, 2012.