**02-371**

**NURSING HOME ADMINISTRATORS LICENSING BOARD**

2016 - 2017 Regulatory Agenda

August 2, 2016

AGENCY UMBRELLA-UNIT NUMBER: **02-371**

AGENCY NAME: Department of Professional and Financial Regulation, Office of Professional & Occupational Regulation, **Nursing Home Administrators Licensing Board**

**CONTACT PERSON**: Anne Head, Board Administrator, 35 State House Station, Augusta, Maine 04333-0035. Telephone: (207) 624-8420. E-mail: Anne.L.Head@Maine.gov .

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None.

**EXPECTED 2016-2017 RULEMAKING ACTIVITY:** The board intends to repeal and replace all existing rules in their entirety.

**CHAPTER 1**: Definitions

STATUTORY AUTHORITY: 32 M.R.S. §63-B(2)

PURPOSE: The board will update and revise its definitions for applicable terms contained in the rules.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.

**CHAPTER 2**: Nursing Home Administrators

STATUTORY AUTHORITY: 32 M.R.S. §63-B(2)

PURPOSE: This chapter sets forth the general requirements for licensure as a Nursing Home Administrator and the continuing education requirements for license renewal. The board will propose that no new nursing home administrator licenses be issued but that those licensees who hold current, valid nursing home administrator licenses may continue to renew that license or may transition to the multi-level facility administrator license by passing a board-approved exam. The board will also propose to update and revise provisions pertaining to the administrator-in-training program for nursing home and multi-level facility administrators.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and existing licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.

**CHAPTER 3**: Residential Care Facility Administrators

STATUTORY AUTHORITY: 32 M.R.S. §63-B(2)

PURPOSE: The board will revise and update the general requirements for licensure as a Residential Care Facility Administrator and the continuing education requirements for license renewal. The board will propose a new requirement that applicants complete an administrator-in-training program to qualify for licensure, similar to the program already required for nursing home and multi-level facility administrators.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and existing licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.

**CHAPTER 4**: Multi-Level Long Term Care Facility Administrators

STATUTORY AUTHORITY: 32 M.R.S. §63-B(2)

PURPOSE: The board will update and revise the general requirements for licensure as a Multi-Level Long Term Care Facility Administrator and the continuing education requirements for license renewal.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and existing licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.

**CHAPTER 5**: Licensing

STATUTORY AUTHORITY: 32 M.R.S. §§ 63-B(2), 64-A, 66; 10 M.R.S. §8003(5-A)(D)(5); Title 5, Chapter 375

PURPOSE: The board will update and revise the guidelines for license issuance, renewal, and reinstatement, and for the disciplining of licensees. The board will also propose to add new provisions on inactive status licensure, as authorized by 10 M.R.S. §8003(5-A)(D)(5).

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.

**CHAPTER 6**: Endorsement

STATUTORY AUTHORITY: 32 M.R.S. §63-B(2)

PURPOSE: The board will update and revise the requirements for licensure by endorsement for licensees who hold licenses from another jurisdiction.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants currently licensed in other jurisdictions who will seek licensure in Maine.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.

**CHAPTER 7**: Temporary Licenses

STATUTORY AUTHORITY: 32 M.R.S. §§ 63-B(2), 64-A, 66; Title 5, Chapter 375

PURPOSE: The board will update and revise the requirements for temporary licensure.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.

**CHAPTER 8**: Continuing Education

STATUTORY AUTHORITY: 32 M.R.S. §63-B(2)

PURPOSE: The board will update and revise the continuing professional education requirements for administrators licensed by the board.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.

**CHAPTER 9**: Advisory Rulings

STATUTORY AUTHORITY: 32 M.R.S. §63-B(2); 5 M.R.S. §9001

PURPOSE: The board will update and revise the process for obtaining advisory rulings with regard to interpretation of these rules.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure, licensees, and consumers.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.

**CHAPTER 10**: Fees

STATUTORY AUTHORITY: 10 M.R.S. §8003(2-A)(D)

# PURPOSE: This chapter has been superseded by 10 M.R.S. §8003(2-A)(D) and rule-making pursuant to Chapter 10 of the rules of the Office of Professional & Occupational Regulation, and therefore should be repealed entirely.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Applicants for licensure and existing licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.

**CHAPTER 11**: Code of Ethics

STATUTORY AUTHORITY: 32 M.R.S. §63-B(2)

PURPOSE: The board will update and revise its code of ethics by adopting nearly verbatim the most recent version of the American College of Health Care Administrators Code of Ethics.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and consumers.

CONSENSUS-BASED RULE DEVELOPMENT: Not expected.