

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 620 Department or Agency Alabama Board of Examiners of Nursing Home Administrators
Rule No. 620-X-7-.01
Rule Title: Licenses
 New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? NO

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full Compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Matruia G. Hagden*

Date 4/6/10

DATE FILED
(STAMP)

**Alabama Board of Examiners of Nursing Home Administrators
4156 Carmichael Road
Montgomery, Alabama 36106**

NOTICE OF INTENDED ACTION

The Alabama Board of Examiners of Nursing Home Administrators intends to adopt amendments to its existing rules and regulations as follows:

<u>Rule No. & Title:</u>	620-X-5-.03	Application for Examination
	620-X-6-.01	Continuing Education Programs of Study
	620-X-7-.01	Licenses
	620-X-14-.01	Effective Date
	Appendix A Form 3	Application for License as a Nursing Home Administrator
	Appendix A Form 4	Application for Renewal of NHA License


Intended Action: The Alabama Board of Examiners of Nursing Home Administrators proposes to amend the following rules: 620-X-5-.03, 620-X-6-.01, 620-X-7-.01, 620-X-14-.01, Appendix A – Form 3, and Appendix A – Form 4.

Substance of Proposed Action: We are proposing to add that an applicant must take the examination within one year of approval by the Board. The Board is proposing to increase the number of allowed long distance continuing education allowed from 6 hours to 9 hours. The Board is also making it the responsibility of the licensee to keep the Board updated on current contact address information. The Board will also change the effective date of the rules. The Board is adding the requirement for a valid driver's license to the nursing home application as well as an email address and changing the home number to cell number for contact information. The Board is changing the requirement for a social security number to only the last four digits and changing the home number to cell number for contact information on the license renewal form.

Time, Place, manner of Presenting Views: Interested persons may present their views orally or in writing to the executive Secretary of the Alabama Board of Examiners of Nursing Home Administrators, 4156 Carmichael Road, Montgomery, Alabama 36106. Requests for copies of the proposed amendments should be addressed to Katrina G. Magdon, Executive Secretary (334) 271-2342 or can be viewed on the Board web site at www.alboenha.state.al.us.

Final Date for Comment and Completion of Notice: Deadline for comments is June 3, 2016.

Contact Person at Agency: Katrina G. Magdon, Executive Secretary, Alabama Board of Examiners of Nursing Home Administrators, 4156 Carmichael Road, Montgomery, Alabama, 36106, (334) 271-2342, kmagdon@anha.org.


Katrina G. Magdon, Executive Secretary

620-X-7-.01 Licenses.

(1) Every individual who holds a valid current license as a nursing home administrator issued by the Board under this Chapter shall immediately upon issuance have the right and privilege of acting and serving as a nursing home administrator and of using the abbreviation "N.H.A." after their name. Thereafter, the individual shall annually be required to make application to the Board for a renewal of license and to report any facts requested by the Board on forms provided for such purposes. All license renewals will be issued and are due on the last day of the month in which the license expires, and all requirements must be met by that date.

(2) Upon making an application for a renewal of license, the individual shall pay an annual fee as determined by the board, and at the same time shall submit evidence satisfactory to the Board that during the year immediately preceding application for renewal, he or she has complied with the requirements of the Board concerning the continuing education of nursing home administrators as provided in Rule No. 620-X-6-.01, paragraph (1) of these Rules and Regulations. The required continuing education hours must be completed by the renewal date of the license. It is the responsibility of the licensee to keep a current physical address and email address with the Board.

(3) Upon receipt of the application for renewal of license, the renewal fee, and the evidence required with respect to continuing education, the Board shall issue a letter and renewal card to the nursing home administrator.

(4) Failure to secure an annual renewal of a license based on a failure to meet the continuing education requirements, shall result in the expiration of the license. All persons holding an expired license and wishing to reactive the license shall be required to submit a new application, have 24 hours of current (no more than one year old at the time of reactivation) continuing education credit approved by the Board prior to the reactivation of the license and pass a written state examination for licensure.

(5) A licensee who complies with the continuing education requirements but who does not renew within 90 days following its due date shall be deemed delinquent and may renew within the 90 day period by paying a late renewal fee established by the board. A license that is not renewed within the 90 day period shall be deemed expired, and is subject to reapplication as provided in Rule No. 620-X-7-.01, paragraph (4) of these rules and regulations.

(6) A licensee who holds a current license and who is not practicing as a nursing home administrator may place that license into an "inactive status" upon written application to the board. Any licensee whose license has been placed on inactive status may not engage in the practice of nursing home administration. A licensee whose license is on an inactive status who wishes to "reactivate" that license may do so by making application to the board. The applicant shall attach proof of having completed 24 hours of approved continuing education credits within one year of making application for license reactivation, and shall pay a reactivation fee established by the board. A licensee

may not have his/her license in inactive status for more than five years. After five years in inactive status, the license automatically becomes expired.

(7) Only an individual who has qualified as a licensed and registered nursing home administrator who holds a current license shall have the right and privilege of using the title "Nursing Home Administrator", and have the right and privilege of using the abbreviation "NHA" after their name. No other person shall use or shall be designated by such title or such abbreviation or any other words, letters, signs, cards, or device tending to or intended to indicate that such person is a licensed nursing home administrator.

(8) The Board shall maintain a file of all applications for licensure that includes the following information on each applicant: residence, name, age, the name and address of his/her employer or business connection, the date of application, educational and experience qualifications, action taken by the Board, serial numbers of licenses issued to the applicant, and the date on which the Board acted on or reviewed the application.

(9) The Board shall maintain a list of current licensees of the board, and shall furnish the list on demand to any person who pays a fee established by the board.

Author: Linda U. Jordan., Chairman

Statutory Authority: Code of Ala. 1975, §34-20-13.

History: January 8, 1982; Filed September 30, 1982. **Amended:** Filed July 30, 1993; effective August 24, 1993. **Amended:** Filed May 18, 1998; effective June 22, 1998.

Amended: Filed September 11, 2003; effective October 16, 2003. **Amended:** Filed April 6, 2016.