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**DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE
BOARD OF NURSING HOME ADMINISTRATORS**

**MINUTES
GENERAL BUSINESS MEETING**

**Hyatt Regency Jacksonville Riverfront
225 E. Coastline Drive
Jacksonville, FL 32202**

November 29, 2012

14 Mr. Deterding stated on the record that participants in this public meeting should be aware that these
15 proceedings are being recorded and that an audio file of the meeting will be posted to the board's website.

16
17 **CALL TO ORDER:**

18 Ms. Patricia Freeman, Chair, called the meeting to order at 1:16 p.m. Those present for all or part of the
19 meeting included the following:

20
21 **MEMBERS PRESENT:**

22 Patricia Freeman, Chair
23 Robert Rosenthal, Vice-Chair
24 Cathy Bracher, ARNP
25 Keith Myers

26
27 **MEMBERS NOT PRESENT:**

28 Jeri Francoeur, Excused

29
30 **STAFF PRESENT:**

31 Bruce Deterding, Board Executive Director
32 Sharon Guilford, Program Operations Administrator
33 Edith Rogers, Regulatory Specialist II

34
35 **BOARD COUNSEL:**

36 Marlene Stern, Assistant Attorney General
37 Office of Attorney General

38
39 Ms. Freeman stated that the board should review the laws regarding the eligibility of licensure.

40
41 **468.1695 Licensure by examination.—**

42 (1) Any person desiring to be licensed as a nursing home administrator shall apply to the department to
43 take the licensure examination. The examination shall be given at least two times a year and shall include,
44 but not be limited to, questions on the subjects of nursing home administration such as:

- 45 (a) Applicable standards of nursing home health and safety;
46 (b) Federal, state, and local health and safety laws and rules;
47 (c) General administration;
48 (d) Psychology of patient care;
49 (e) Principles of medical care;
50 (f) Personal and social care;
51 (g) Therapeutic and supportive care and services in long-term care;
52 (h) Departmental organization and management;
53 (i) Community interrelationships; and
54 (j) Terminology.

1 The board may, by rule, adopt use of a national examination in lieu of part or all of the examination
2 required by this part.

3 (2) The department shall examine each applicant who the board certifies has completed the application
4 form and remitted an examination fee set by the board not to exceed \$250 and who:

5 (a)1. Holds a minimum of a baccalaureate degree from an accredited college or university and majored
6 in health care administration, health services administration, or an equivalent major, and ~~or~~ has credit for at
7 least 60 semester hours in academic content subjects, as prescribed by rule of the board, which prepare the
8 applicant for total management of a nursing home; and

9 2. Has fulfilled the requirements of a college-affiliated or university-affiliated internship in nursing
10 home administration or of a 1,000-hour nursing home administrator-in-training program prescribed by the
11 board; or

12 (b)1. Holds a baccalaureate degree from an accredited college or university; and

13 2.a. Has fulfilled the requirements of a 2,000-hour nursing home administrator-in-training program
14 prescribed by the board; or

15 b. Has 1 year of management experience allowing for the application of executive duties and skills,
16 including the staffing, budgeting, and directing of resident care, dietary, and bookkeeping departments
17 within a skilled nursing facility, hospital, hospice, assisted living facility with a minimum of 60 licensed
18 beds, or geriatric residential treatment program and, if such experience is not in a skilled nursing facility,
19 has fulfilled the requirements of a 1,000-hour nursing home administrator-in-training program prescribed
20 by the board.

21 (3) The department shall issue a license to practice nursing home administration to any applicant who
22 successfully completes the examination in accordance with this section and otherwise meets the
23 requirements of this part. The department shall not issue a license to any applicant who is under
24 investigation in this state or another jurisdiction for an offense which would constitute a violation of s.
25 468.1745 or s. 468.1755. Upon completion of the investigation, the provisions of s. 468.1755 shall apply.

26 (4) The board may by rule establish a preceptor certification and recertification fee not to exceed \$100
27 which shall be remitted by those individuals seeking board approval to act as preceptors in administrator-
28 in-training programs as prescribed by the board. Said fee may be charged at the time of application for
29 initial certification and at the time of application for recertification. The board may by rule establish a
30 trainee application fee not to exceed \$500 to defray the costs of the board's supervision of the
31 administrator-in-training program, to be remitted by those individuals seeking to undergo a board
32 prescribed administrator-in-training program.

33
34 Mr. Deterding reported that a proposal with statutory changes similar to those discussed by the board had
35 been presented to the Department of Health Legislative Affairs Office. That office had determined that the
36 proposed changes were not within the purview of the Department of Health and might more appropriately
37 be advanced by the affected professional association.

38
39 The board requested that the state professional associations, LeadingAge Florida and the Florida Health
40 Care Association, would consider moving forward with the suggested changes to the statute during the
41 2013 Legislative Session. Ms. Carol Berkowitz, who was present and represents LeadingAge Florida,
42 agreed to take the proposal to her association board and ask them to consider the board's request. Ms.
43 Berkowitz agreed to share the proposal with Ms. Peggy Rigsby of Florida Health Care Association and Mr.
44 Deterding agreed to email both ladies the precise language discussed by the board in its proposal.

45
46 The board reviewed several rules to determine if changes were needed.

47
48 **DISCUSSION OF RULE 64B10, F.A.C.**

49
50 **64B10-11.001 - Application for Licensure Fee**

51 **64B10-11.003 – Reexamination**

52 **64B10-15.001 – Continuing Education for Licensure Renewal**

53 **64B10-16.001 – General Information**

54
55 **64B10-11.001 Application for Licensure Fee.**

1 Any person desiring to be licensed as a nursing home administrator shall apply to the Board of Nursing
2 Home Administrators. The application shall be made on the Application for Nursing Home Administrators
3 Examination and Endorsement/Temporary form DH-MQA-NHA002 (revised 07/10), hereby adopted and
4 incorporated by reference, and can be obtained from the Board of Nursing Home Administrators' website
5 at <http://www.doh.state.fl.us/mqa/nurshome/index.html>.
6 *Rulemaking Authority 456.033, 468.1685(1), (2), 468.1695(1) FS. Law Implemented 456.033, 468.1685(2),*
7 *468.1695(1), 468.1075 FS. History--New 12-26-79, Formerly 21Z-11.01, Amended 1-18-87, 10-2-88, 3-5-*
8 *89, 3-15-90, 12-3-90, 11-3-92, Formerly 21Z-11.001, 61G12-11.001, Amended 12-4-95, 9-4-96, 7-21-97,*
9 *Formerly 59T-11.001, Amended 5-15-00, 1-7-04, 2-15-06, 11-9-08, 10-24-10.*

10
11 Ms. Stern stated that Rule 64B10-11.001, F.A.C., has been filed and is awaiting adoption. During a
12 previous board meeting the board approved an update of the application with the revision date 08/12.
13

14 **64B10-11.002 Eligibility for Licensure.**

15 (1) Required Examinations.

16 (a) The Board approves the Nursing Home Administrators Examination developed and administered
17 by the National Association of Boards of Examiners of Nursing Home Administrators.

18 (b) In addition to the national examination referenced in paragraph (1)(a) above, each applicant for
19 licensure shall also be required to take an examination on the laws and regulations of the State of Florida
20 which governs the practice of nursing home administrators.

21 (2) To establish eligibility for licensure as a nursing home administrator by examination under Section
22 468.1695, F.S., the applicant must successfully pass the required examinations in subsection (1), and must
23 provide that the applicant holds:

24 (a) A baccalaureate degree from an accredited college or university with a major in health care
25 administration, health services administration, or an equivalent major, or has credit for at least 60 semester
26 hours in subjects as defined under Rule 64B10-11.007, F.A.C.; and

27 1. Completed a college-affiliated or university-affiliated internship of at least 650 hours with a Board-
28 approved preceptor in a skilled nursing facility that has at least 60 beds; or

29 2. Completed a 1,000-hour nursing home administrator-in-training program approved by the Board; or

30 (b) A baccalaureate degree from an accredited college or university; and

31 1. Completed a 2,000-hour nursing home administrator-in-training program approved by the Board; or

32 2. Has one year of direct management experience that was not in a training program or internship. The
33 applicant must prove that he or she by performing in the role of an executive manager, performing the
34 same duties and skills; expected of a Florida licensed nursing home administrator to including, at a
35 minimum, the primary direction of all facility departments of:

36 a. human resources, including recruiting, selecting, staffing, educating and developing managers so
37 goals of each department are accomplished, and conducting performance appraisals for all department
38 managers;

39 b. the staffing, budgeting, and directing of resident care;;

40 c. dietary;;

41 d. and accounting/bookkeeping, including budgeting and internal controls;

42 e. life safety;

43 f. maintenance and housekeeping; and,

44 g. therapies programs, departments

45 All duties performed by an applicant under this subparagraph must be performed within a skilled
46 nursing facility, hospital, hospice, assisted living facility with a minimum of 60 licensed beds, or geriatric
47 residential treatment program of at least 60 beds. Each applicant who claims one year's direct management
48 experience would be reviewed on a case-by-case basis by the full board. If, however, such experience is not
49 in a skilled nursing facility the applicant must complete the requirements of a 1,000-hour nursing home
50 administrator-in-training program approved by the Board.

51 (3) To establish eligibility for licensure as a nursing home administrator by endorsement under Section
52 468.1705, F.S., the applicant must successfully pass the required examinations in subsection (1); and

53 (a) Hold a valid active license to practice nursing home administration in another state, provided that
54 the current requirements for licensure in that state are substantially equivalent to, or more stringent than,
55 the current requirements in the state of Florida; and

1 (b) Have practiced as a nursing home administrator for 2 years within the 5-year period immediately
2 preceding the application by endorsement.
3 *Specific Authority 456.017, 468.1685(1), 468.1695(1), (2) FS. Law Implemented 456.017, 468.1685(2)*
4 *468.1695(1), (2), 468.1705 FS. History–New 12-26-79, Amended 3-1-82, 7-29-82, Formerly 21Z-11.02,*
5 *Amended 1-18-87, 6-2-87, 12-3-90, Formerly 21Z-11.002, 61G12-11.002, Amended 7-16-95, Formerly*
6 *59T-11.002, Amended 5-15-00, 11-6-02, 8-30-05, 11-8-07.*

7
8 Mr. Myers was not present to vote.
9

10 **Mr. Rosenthal moved to approve the proposed language and Notice for Rule Development to Rule**
11 **64B10-11.002, F.A.C. The motion was seconded and carried 3/0.**

12
13 **Mr. Rosenthal moved that the proposed rule would not have any adverse impacts on small**
14 **businesses. The motion was seconded and carried 3/0.**

15
16 **Ms. Bracher moved that the proposed rule would not be likely to directly or indirectly increase**
17 **regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in**
18 **Florida within 1 year after the implementation of the rule. The motion was seconded and carried 3/0.**
19

20 **64B10-11.003 Reexamination.**

21 (1) An applicant must pass both parts of the Nursing Home Administrators Examination (NAB) within
22 one year of the date of application for licensure. If the applicant fails to pass both parts within the stated
23 one-year period, the applicant must reapply and meet current licensing requirements.

24 (2) An applicant must pass both parts of the examination within one year from first failure; otherwise,
25 the applicant must retake both parts of the examination and pay the full fees. The application shall be made
26 on the Application for Nursing Home Administrators Re-Examination form DH-MQA 1129 (revised 7/10),
27 hereby adopted and incorporated by reference and can be obtained from the Board of Nursing Home
28 Administrators' website at <http://www.doh.state.fl.us/mqa/nurshome/index.html>.

29 *Rulemaking Authority 456.017(2), 468.1685(1) FS. Law Implemented 456.017(2) FS. History–New 12-26-*
30 *79, Amended 3-1-82, 6-14-82, Formerly 21Z-11.03, Amended 3-5-89, 8-19-92, Formerly 21Z-11.003,*
31 *61G12-11.003, Amended 6-2-96, Formerly 59T-11.003, Amended 5-15-00, 11-6-02, 2-15-06, 4-22-09, 10-*
32 *11-10.*

33
34 Ms. Stern stated that Rule 64B10-11.001, F.A.C., has been filed and awaiting adoption. During a previous
35 board meeting the board approved an update of the application with the revision date 08/12.
36

37 **64B10-15.001 Continuing Education for Licensure Renewal.**

38 (1) All licensed Nursing Home Administrators shall be required to obtain continuing education which
39 contributes to increasing or enhancing the license-holder's professional skill or which enables the license-
40 holder to keep abreast of changes that affect the field of nursing home administration.

41 (2) Each license-holder shall complete forty (40) contact hours of continuing education in accordance
42 with these rules.

43 (3) Each licensee shall be responsible for maintaining the documentation to prove his/her compliance
44 with the continuing education requirements for a period of four years and shall provide such documentation
45 to the Department upon request.

46 (4) The Department shall audit at random a number of licensees to ensure that the continuing education
47 requirements are met.

48 (5) A licensee who attends a meeting of a national association involved in the establishment of
49 standards of practice or the regulation of nursing home administrators may apply to the Board for approval.
50 In order to receive approval, the licensee must submit a written statement to the Board within 60 days of
51 attendance or participation in said conference, stating the name of the organization, dates of attendance, and
52 a brief statement as to how the course contributed to the enhancement of the licensee's skills. The Board
53 may approve up to 5 hours of continuing education per year under this subsection.

54 (6) Three hours of continuing education may be obtained by the any of the following:

55 (a) Attending one full day of a Board meeting in compliance with the following:

56 1. The licensee must sign in with the Executive Director/Program Operations Administrator of the

1 Board before the meeting day begins.

2 2. The licensee must remain in continuous attendance.

3 3. The licensee must sign out with the Executive Director/Program Operations Administrator at the end
4 of the meeting. A licensee shall receive continuing education credit in risk management for attending a
5 board meeting at which another licensee is disciplined. A licensee may also be granted continuing
6 education hours if he or she serves as a volunteer expert witness for the department in a disciplinary case,
7 or if he or she serves as a member of a probable cause panel after the expiration of the Board member's
8 term.

9 (b) Serve as a volunteer expert witness for the department in a disciplinary case; or

10 (c) Serve as a member of a probable cause panel after expiration of the Board member's term.

11 (7) Licensees who participate in the development of Florida exam questions may be awarded up to five
12 hours of continuing education credit, comprised of two (2) hours of laws and rules and three (3) hours
13 optional, upon request of the Board.

14 (8) Board members, and former board members, serving on probable cause panels, shall receive 12
15 hours of continuing education credit toward applicable domains of practice as defined in Rule 64B10-
16 16.005, for each full or partial biennium served on the board.

17 (9) Any licensee presenting a continuing education course shall earn the same amount of contact hours
18 as the attendees up to a maximum of 12 contact hours per biennium.

19
20 *Rulemaking Authority 456.033, 468.1685(1), 468.1715(3), 468.1725 FS. Law Implemented 456.013(6),*
21 *456.033, 468.1715(3), 468.1725 FS. History—New 12-11-80, Amended 2-20-83, 5-2-84, Formerly 21Z-*
22 *15.01, Amended 12-31-86, 2-26-89, 11-19-91, Formerly 21Z-15.001, 61G12-15.001, Amended 9-4-96, 10-*
23 *20-96, 7-21-97, Formerly 59T-15.001, Amended 5-15-00, 11-4-02, 5-7-06, 4-8-07, 10-24-07, 10-11-10.*

24
25 **Ms. Bracher moved to approve the proposed changes and Notice for Rule Development to Rule**
26 **64B10-15.001, F.A.C. The motion was seconded and carried 4/0.**

27
28 **64B10-15.002 Criteria for Approved Continuing Education.**

29 (1) To be eligible for credit toward the licensee's continuing education requirement, a course shall be
30 designed to enhance the learning and promote the continued development of knowledge and skills of the
31 individual licensee's professional practice.

32 (2) Continuing education will be approved for credit if it is in one of the Domains of Practice as
33 defined in Rule 64B10-16.005, F.A.C.

34 (3) ~~Fifteen~~ Five hours of continuing education credit shall be granted for each college credit ~~course~~
35 hour in the domains of practice successfully completed during the biennium. The college transcript shall be
36 accepted as proof of attendance.

37 (4) Administrator certification or re-certification by American College of Health Care Administrators
38 may be accepted as satisfying the total continuing education requirement for license renewal for the
39 biennium in which certification is completed. Verification of certification shall be accepted as proof of
40 attendance.

41 (5) To satisfy the requirements of this rule, in any biennium a licensee shall have a minimum of forty
42 (40) hours of continuing education credit. In any biennium:

43 (a) A licensee shall have a minimum of twenty (20) hours of continuing education credits that include
44 personal attendance at a live presentation.

45 (b) A licensee is allowed a maximum of twenty (20) hours of continuing education credits for web-
46 based, video or audio-transmitted, or on-line instruction programs that require the licensee to interact or
47 communicate back and forth with the instructor during the presentation of the program.

48 (c) A licensee is allowed a maximum of ten (10) hours home-study continuing education credits.
49 Home-study education is independent study and includes pre-recorded programs that were previously
50 classified as live or interactive under paragraphs (5)(a) and (b). A validation form shall be signed by the
51 vendor and licensee verifying the subject covered and total viewing time. Home-study courses must not
52 exceed five (5) hours per subject.

53 (6) Providers, and licensees who self-submit continuing education hours earned, shall identify the
54 course type as described in subsection (5).

55 (7) Any licensee who acts as a consultant to the Department of Health's Testing Services Unit shall be
56 allowed a maximum of four (4) hours of continuing education credit for that biennium.

1 (8) Any licensee who acts as a preceptor for an Administrator-in-Training and completes such
2 preceptorship within any biennium shall be allowed a maximum of ten (10) hours of continuing education
3 credit for that biennium.

4 (9) Any licensee who acts as a preceptor for an internship and completes such preceptorship within any
5 biennium shall be allowed a maximum of five (5) hours of continuing education credit for that biennium.

6 (10) Continuing education courses approved by the National Association of Boards of Examiners of
7 Long Term Care Administrators are accepted as long as the requirements are similar to or more stringent
8 than those required by the Board in subsection 64B10-15.002(1) and Rule 64B10-16.005, F.A.C.

9 (11) The Board shall not accept credit for continuing education programs of less than 1 contact hour.

10 (12) Any subject matter dealing with internal affairs of an organization will not qualify for credit
11 hours.

12 *Rulemaking Authority 468.1685(1), 468.1725(3) FS. Law Implemented 456.013, 468.1685(2) 468.1715,*
13 *468.1725 FS. History—New 12-11-80, Amended 2-20-83, Formerly 21Z-15.02, Amended 6-22-87, 2-26-89,*
14 *12-6-89, 11-11-92, Formerly 21Z-15.002, 61G12-15.002, 59T-15.002, Amended 10-12-97, 12-2-02, 8-11-*
15 *03, 8-9-04, 2-23-06, 10-24-07, 5-8-08, 1-7-10.*

16
17 **Mr. Myers moved to approve the proposed changes and Notice for Rule Development to Rule 64B10-**
18 **15.002, F.A.C. The motion was seconded and carried 4/0.**

19
20 **Mr. Rosenthal moved that the proposed rules would not have any adverse impacts on small**
21 **businesses. The motion was seconded and carried 3/0.**

22
23 **Mr. Myers moved that the proposed rules would not be likely to directly or indirectly increase**
24 **regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in**
25 **Florida within 1 year after the implementation of the rule. The motion was seconded and carried 3/0.**

26
27 **64B10-16.001 General Information.**

28 (1) An Administrator-in-Training is a supervised internship during which the Administrator-in-
29 Training (AIT) works under the supervision of a preceptor, a licensed administrator meeting the
30 qualifications in Rule 64B10-16.002, F.A.C.

31 (2) An applicant for the AIT program must meet those qualifications established by Section 468.1695, F.S.,
32 at the time of application, including completion of an Administrator in Training Application, form DH-
33 MQA-NHA003 (Revised ~~11/2012-10/2007~~), hereby adopted and incorporated by reference, and pay the
34 application fee specified in Rule 64B10-12.013, F.A.C. ~~The Form DH-MQA-NHA003 can be obtained~~
35 ~~from the Board of Nursing Home Administrators' website at~~
36 http://www.doh.state.fl.us/mqa/nurshome/ap_instr.pdf. The applicant is required to indicate ~~on form DH-~~
37 ~~MQA-NHA003 (Revised 10/2007)~~ whether the applicant is applying for the AIT 1000-hour program or the
38 AIT 2000-hour program as referenced in Rule 64B10-11.002, F.A.C.

39 (3) The Board must approve each facility at which the training will take place.

40 (4) The training must be under the full-time supervision of the preceptor. A preceptor shall supervise
41 only one AIT or intern at any given time; however, if the facility has a minimum of 120 beds and an
42 assistant administrator duly licensed under Chapter 468, Part II, F.S., the preceptor may then supervise a
43 maximum of two AITs or interns, or a combination thereof.

44 (5) The AIT shall serve his/her training in a normal work-week, containing a minimum of 30 hours and
45 a maximum of 50 hours, with not less than six hours to be served daily between the hours of 7:00 a.m. and
46 10:00 p.m., except that during the year a minimum of 40 hours and a maximum of 160 hours are to be
47 served between 10:00 p.m. and 7:00 a.m.

48 (6) The AIT program shall begin on the first day of the month following the approval of the Board.

49 (7) The AIT and the Preceptor shall sign an agreement acknowledging to each other and the Board that
50 the training shall be in accordance with these rules. The agreement shall contain any other agreements
51 between the AIT and the Preceptor concerning the training.

52 (8) The AIT shall be allowed two weeks leave for military training, two weeks leave for vacation, and
53 reasonable sick leave.

54 (9) The Board may approve a temporary discontinuance of the training for up to 1 year, but the AIT
55 shall only retain credit for those quarters completed and for which reports have been submitted and
56 approved by the monitor.

1 (10) The Board will approve an interruption of an AIT program for the compulsory service of the AIT
2 in the armed forces of the United States. The AIT may resume his training at any time within one year of
3 his discharge from active duty.

4 (11) ~~Both the~~The AIT and the Preceptor must report any discontinuance of training to the Board within
5 10 days. Failure to do so may subject the Preceptor to disciplinary action.

6 (12) A rotation through the various departments and duties in the nursing home is essential to the
7 proper completion of the training. An AIT shall not, during the normal working hours of his program, fill a
8 specific, specialized position in the nursing home.

9 (13) One member of the Board shall function as a Monitor of each AIT program. More than one
10 Board member may function as a Monitor, but only one Monitor shall be assigned to each AIT program.
11 Each Board member who functions as a Monitor shall be a licensed nursing home administrator. The
12 Monitor shall evaluate the progress of the AIT in the AIT program in the following manner:

13 (a) The Monitor shall review the quarterly reports, and information required by Rule 64B10-
14 16.005, F.A.C.;

15 (b) The Monitor shall determine whether the report and information submitted meet the
16 requirements of Rule 64B10-16.005, F.A.C. for each quarter;

17 (c) Should the Monitor determine the requirements of Rule 64B10-16.005, F.A.C., have not been
18 met, the Monitor shall take one or more of the following actions:

19 1. Refuse to accept the report;

20 2. Refuse to award the AIT credit toward the AIT program for hours completed within the quarter;

21 3. Require the AIT and preceptor to revise and resubmit the report;

22 4. Require the AIT and/or preceptor to submit additional documentation demonstrating hours
23 completed in each domain area for that quarter; and/or

24 5. Require the AIT to complete additional hours in specified domain areas.

25 (d) The Monitor shall maintain communication with the AIT and Preceptor, and report to the
26 Board on the progress of the AIT.

27 (e) The Monitor shall notify the Board whether the AIT has satisfactorily completed the AIT
28 program.

29 1. The Board shall not certify an AIT for examination unless the Monitor notifies the Board that
30 the AIT has satisfactorily completed the AIT program.

31 2. The Board shall require the AIT to do further work toward meeting objectives or attaining the
32 core of knowledge, or to work with a different Preceptor, if reports and progress in the program are
33 inadequate.

34
35 Mr. Myers was not present to vote.

36
37 **Mr. Rosenthal moved to approve the proposed language and Notice for Rule Development to Rule**
38 **64B10-16.001, F.A.C. The motion was seconded and carried 3/0.**

39
40 **ADJOURNMENT:**

41
42 The meeting was adjourned at 5:15 p.m.