

R156. Commerce, Occupational and Professional Licensing.

R156-15. Health Facility Administrator Act Rule.

R156-15-101. Title.

This rule is known as the "Health Facility Administrator Act Rule".

R156-15-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 15, as used in this rule:

(1) "Administrator in training (AIT)" means an individual who is participating in a preceptorship with a licensed health facility administrator.

(2) "Board" means the Health Care Administrators Board.

(3) "Distance learning" means acquiring continuing professional education (CPE) as referenced in Section R156-15-309 using technologies and other forms of learning, including internet, audio/visual recordings, mail, or other correspondence.

(4) "General administration" as used in the definition of "administrator", Subsection 58-15-2(1), means that the administrator is responsible for operation of the health facility in accordance with all applicable laws regardless of whether the administrator is present full or part time in the facility or whether the administrator maintains an office inside or outside of the facility, but may not exceed responsibility for more than the number of licensed facilities in accordance with Utah Administrative Code R432-150 or R432-200.

(5) "General supervision" means general supervision as defined in Subsection R156-1-102a(4)(c).

(6) "NAB" means the National Association of Long Term Care Administrators Boards.

(7) "Nursing home administrator" means a health facility administrator.

(8) "Preceptor" means a licensed health facility administrator meeting the qualifications of Subsection R156-15-307(2), who is responsible for the supervision and training of an AIT.

(9) "Preceptorship" means a formal training program for an administrator in training (AIT), that is:

(a) conducted in a licensed health facility;

(b) under the supervision of an approved licensed health facility administrator; and

(c) approved by the Division in collaboration with the Board.

(10) "Qualifying experience" means at least 8,000 hours of employment in a licensed health facility including hours in a supervisory role as referenced in Section R156-15-302c.

R156-15-103. Authority - Purpose.

This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 15.

R156-15-104. Organization - Relationship to Rule R156-1.

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

R156-15-302a. Qualifications for Licensure - Application

Requirements.

In accordance with Subsections 58-1-203(1)(b) and 58-1-301(3), the application requirements for licensure in Section 58-15-4 are defined, clarified, or established as follows:

- (1) (a) complete an approved AIT preceptorship consisting of a minimum of 1,000 hours; or
- (b) hold a NAB Health Services Executive (HSE) credential; and
- (2) meet:
 - (a) the education requirement in Section R156-15-302b; or
 - (b) the experience requirement in Section R156-15-302c.

R156-15-302b. Qualifications for Licensure - Education Requirements.

In accordance with Subsections 58-1-203(1)(b) and 58-1-301(3), the education requirement for licensure in Subsection 58-15-4(2) is defined, clarified, or established as follows:

- (1) The applicant shall graduate from an accredited university or college with a minimum of a baccalaureate degree.
- (2) Up to 500 hours spent in an internship, practicum, or outside study program associated with a bachelor's degree in health facility administration or health care administration may be included as part of an approved AIT preceptorship as outlined in Section R156-15-307.

R156-15-302c. Qualifications for Licensure - Experience Requirements.

In accordance with Subsection 58-1-203(1)(b) and 58-1-301(3), the experience requirement for licensure in Subsection 58-15-4(2) is defined, clarified, or established as follows:

- (1) The applicant shall complete at least 8,000 hours of qualifying experience approved by the Division in collaboration with the Board.
- (2) At least 4,000 hours of the qualifying experience shall be in a supervisory role.
- (3) Subsection (1) may include up to 500 hours of an approved AIT preceptorship as outlined in Section R156-15-307, and if in a supervisory role may be included as part of Subsection (2).

R156-15-302d. Qualifications for Licensure - Examination Requirements.

In accordance with Subsections 58-1-203(1)(b) and 58-1-301(3), the examination requirement for licensure in Subsection 58-15-4(4) is defined, clarified, or established as follows:

- (1) An applicant for licensure as a health facility administrator shall pass NAB's two-part component examination for nursing home administrators:
 - (a) the National Core of Knowledge Examination for Long Term Care Administrators (CORE); and
 - (b) the National Nursing Home Administrator Line of Service Examination Program (NHA).
- (2) The passing score for each NAB exam component shall be a minimum scaled score of 113.
- (3) An applicant may take both NAB exam components at once, or take each component individually.
- (4) An applicant who fails a NAB exam component shall retake

that component in accordance with NAB policies and procedures.

(5) An applicant who took the NAB exam prior to July 5, 2017, shall have passed the NAB National Nursing Home Administrator Licensing Examination (NHA) with a minimum scaled score of 113.

R156-15-303. Expiration, Renewal, and Reinstatement of License.

In accordance with Section 58-1-308:

(1) The renewal date for the two-year renewal cycle applicable to licensees under Title 58, Chapter 15 is established by rule in Section R156-1-308a(1).

(2) Renewal and reinstatement procedures shall be in accordance with Sections R156-1-308a through R156-1-308l, except as provided in Subsection (3).

(3) If an application for reinstatement of licensure is received by the Division between two years and five years after the date the license expired, and the license was active and in good standing at the time of expiration, the applicant shall:

(a) submit a completed renewal form as furnished by the Division demonstrating compliance with all requirements and conditions of license renewal;

(b) pay the established license renewal fee and reinstatement fee for the current renewal period;

(c) submit evidence of completion of continuing professional education (CPE) for each preceding renewal period in which the license was expired; and

(d) provide information requested by the Division and Board to clearly demonstrate the applicant is currently competent to engage in the profession.

R156-15-307. AIT Preceptorship.

(1) A preceptor shall be allowed to supervise no more than two AIT preceptees at a time.

(2) In order to be approved as a preceptor, the health facility administrator shall:

(a) have been licensed for three years;

(b) be currently licensed and in good standing in Utah; and

(c) (i) be currently working in a licensed health facility; or

(ii) be currently working in an executive position related to a licensed health facility.

(3) The AIT preceptee shall at all times be under the general supervision of the preceptor.

(4) The AIT preceptee may work in the facility either full or part time while completing the preceptorship requirements. Credit received for an AIT preceptorship training shall be earned only for duties related to AIT preceptorship training as set forth under Subsection (5).

(5) An approved AIT preceptorship shall include the following:

(a) Patient care including:

(i) health maintenance;

(ii) social and psychological needs;

(iii) food service program;

(iv) medical care;

(v) recreational and therapeutic recreational activities;

(vi) medical records;

- (vii) pharmaceutical program; and
- (viii) rehabilitation program;
- (b) Personnel management including:
 - (i) grievance procedures;
 - (ii) performance evaluation system;
 - (iii) job descriptions/performance standards;
 - (iv) interview and hiring procedures;
 - (v) training program;
 - (vi) personnel policies and procedures; and
 - (vii) employee health and safety program;
- (c) Financial management including:
 - (i) developing a budget;
 - (ii) financial planning
 - (iii) cash management system; and
 - (iv) establishing accurate financial records;
- (d) Marketing and public relations including
 - (i) planning and implementing a public relations program; and
 - (ii) planning and implementing an effective marketing program;
- (e) Physical resource management including:
 - (i) ground and codes, building maintenance;
 - (ii) sanitation and housekeeping procedures;
 - (iii) compliance with fire and life safety codes;
 - (iv) security; and
 - (v) fire and disaster plan;
- (f) Laws and regulatory codes including:
 - (i) knowledge of Medicaid and Medicare;
 - (ii) labor laws;
 - (iii) knowledge of building, fire and life safety codes;
 - (iv) OSHA/UOSHA;
 - (v) Bureau of Health Facility Licensure Law and Rule;
 - (vi) licensing and certification/professional licensing boards;
 - (vii) Health Facility Administrator Law and Rule;
 - (viii) tax laws; and
 - (ix) establishing or working with a governing board.

R156-15-308. License By Endorsement.

In accordance with Section 58-1-302 and Subsection 58-15-4(6), the Division may grant a license by endorsement to an applicant who:

(1) is currently a licensed health facility administrator in good standing in another state; and

(2) meets the examination requirement in Section R156-15-302d; and

(3) meets one or more of the following equivalent education or experience requirements:

(a) has been employed as a health facility administrator in another state for three years;

(b) has been employed as a health facility administrator at the same facility in another state for two consecutive years; or

(c) holds a Health Services Executive (HSE) qualification from the National Association of Long Term Care Administrator Boards (NAB).

R156-15-309. Continuing Education.

In accordance with Subsections 58-1-203(1)(g) and

58-1-308(3)(b), the following continuing professional education requirements ("CPE") are established as a condition for renewal or reinstatement of licenses under Title 58, Chapter 15:

(1) During each two-year period commencing on June 1 of each odd-numbered year, a licensee shall complete at least 40 hours of CPE directly related to the licensee's professional practice.

(2) If a licensee first becomes licensed during the two-year renewal period, the licensee's required number of CPE hours shall be decreased proportionately according to the date of licensure.

(3) All CPE shall:

(a) have an identifiable clear statement of purpose and defined objective for the educational program directly related to the practice of a health facility administrator;

(b) be relevant to the licensee's professional practice;

(c) be presented in a competent, well organized, and sequential manner consistent with the stated purpose and objective of the program;

(d) be prepared and presented by individuals who are qualified by education, training, and experience; and

(e) have a competent method of registration of individuals who actually completed the professional education program, with records of that registration and completion available for review.

(4) The following may qualify as CPE:

(a) education obtained from an accredited university or college in pursuit of an advanced degree;

(b) lecturing or instructing a CPE course or teaching in a college or university in the licensee's profession;

(c) education under the sponsorship of or approved by a licensing agency of Utah or another state;

(d) real-time, interactive distance learning courses that are clearly documented as real-time and interactive;

(e) distance learning courses that are not real-time and interactive, up to a maximum of 20 CPE hours;

(f) volunteer service on boards, committees, or in leadership roles in any state, national, or international organization for the development and improvement of the licensee's profession, up to a maximum of 10 CPE hours.

(5) A licensee shall maintain adequate documentation as proof of the licensee's compliance with this section, for a period of four years after the end of the renewal cycle for which the CPE is due.

(6) The Division may defer or waive CPE requirements in accordance with Section R156-1-308d, for a period of up to three years.

KEY: licensing, health facility administrators

Date of Enactment or Last Substantive Amendment: December 10, 2018

Notice of Continuation: August 25, 2016

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-15-3(3)