

CHAPTER 10. LONG TERM CARE ADMINISTRATORS

[Authority: 63 O.S., §§ 330.51 et seq.]

[Source: Codified 12-30-91]

SUBCHAPTER 1. LICENSING OF LONG TERM CARE ADMINISTRATORS

490:10-1-1. Purpose

This Chapter has been adopted for the purpose of complying with the provisions of the Administrative Procedures Act. This Chapter implements the specific rules for licensing administrators serving in the following facility types:

- (1) Nursing facilities and specialized facilities licensed pursuant to 63 O.S. Section 1-1901 et seq., including but not limited to specialized facilities for persons with mental retardation, developmental disabilities or Alzheimer's disease; and
- (2) Continuum of Care facilities or Assisted Living Center (ALC) licensed pursuant to 63 O.S. Section 1-890.1 et seq.
- (3) Residential Care Homes licensed pursuant to 63 OS Section 1-819 et seq.
- (4) Adult Day Care Centers licensed pursuant to 63 OS Section 1-870 et seq.

490:10-1-2. Definitions

Definitions set forth in Chapter 1 of this Title shall also apply to this Chapter.

490:10-1-2.1. General requirements that must be met by each applicant [AMENDED]

- (a) Applicants shall not be less than twenty- one (21) years of age at the time the license is issued.
- (b) Each applicant shall be a United States citizen, or be a qualified alien under the Federal Immigration and Naturalization Act and lawfully residing in the United States.
- (c) Each applicant must establish to the satisfaction of the Board that the applicant is of reputable and responsible character.
- (d) Each applicant shall submit to a criminal background check. If the results of a criminal background check reveal that the applicant has been convicted of or pleaded guilty or *nolo contendere* or no contest, or received a deferred for any felony or misdemeanor offense for any of the following offenses in any state or federal jurisdiction, the Board shall not issue a license or renew a previously issued license to this person and employers shall not hire or contract with the person:
 - (1) abuse, neglect or financial exploitation of any person entrusted to the care or possession of such person,
 - (2) rape, incest or sodomy,
 - (3) child abuse,
 - (4) murder or attempted murder,
 - (5) manslaughter,
 - (6) kidnapping,
 - (7) aggravated assault and battery,
 - (8) assault and battery with a dangerous weapon, or

- (9) arson in the first degree.
- (e) If less than seven (7) years have elapsed since the completion of sentence (meaning the last day of the entire term of the incarceration imposed by the sentence including any term that is deferred, suspended or subject to parole), and the results of a criminal history check reveal that the subject person has been convicted of, or pled guilty or nolo contendere or no contest to, a felony or misdemeanor offense for any of the following offenses, in any state or federal jurisdiction, the Board shall not issue a license or renew a previously issued license to this person and employers shall not hire or contract with the person:
- (1) assault,
 - (2) battery,
 - (3) indecent exposure and indecent exhibition, except where such offense disqualifies the person as a registered sex offender,
 - (4) pandering,
 - (5) burglary in the first or second degree,
 - (6) robber in the first or second degree,
 - (7) robber or attempted robbery with a dangerous weapon, or imitation firearm,
 - (8) arson in the second degree,
 - (9) unlawful manufacture, distribution, prescription, or dispensing of a Schedule I through V drug as defined by the Uniform Controlled Dangerous Substance Act (noting that "possession" of a Schedule I through V drug as defined by the Uniform Controlled Dangerous Substance Act is no longer a barrier offense),
 - (10) grand larceny, or
 - (11) petit larceny or shoplifting.
- (f) Each applicant shall report to the Board any adverse action taken by any licensing or certification entity in any jurisdiction. The Board shall examine the reasons for the action(s) and may consider this information in granting or denying a license. The applicant is required to report all jurisdictions where they've held a license and/or applied for licensure and been denied. Licensure denial is an adverse action and is required to be reported to the NPDB.
- (g) Each applicant shall be in compliance with State income tax requirements pursuant to 68 O.S., 238.1.
- (h) Each applicant shall remit any and all required fees associated with obtaining a license, including any outstanding fees or fines.
- (i) Each applicant must have a working ability in the English language sufficient to communicate, both orally and in writing, with residents, family members, employees, the general public, and representatives of State and federal agencies and to engage in the practice of long term care administration.
- (j) Each applicant shall meet all other appropriate conditions and requirements as may be prescribed by the Board.
- (k) When the Board denies an application for licensure, the Board will not reconsider such denial. A person cannot reapply for licensure until one year of the date of denial.
- (l) The application shall be considered incomplete until all requirements have been met, to include any additional requirements prescribed by the Board for each license type. Board conducted training includes Administrator University and any initial qualification training such as the optional reviews for exams or Adult Day Care training. Approved initial qualification training conducted externally, such as training approved for RC or RCAL licensure or other NAB approved entry level training, is not considered "Board conducted" and those applicants have to meet the prerequisites prior to testing or attending any "Review" courses the Board may offer.

(m) In accordance with the requirements detailed at 59 O.S. 4100.4(A), it shall be incumbent upon the applicant to bring any equivalent education, training and experience completed while in the Armed Forces to the attention of OSBELTCA staff during the application process. The staff shall accept and apply satisfactory evidence of this equivalent education, training and experience in a manner most favorable to the satisfying qualification requirements of the license and/or approval for license examination(s).

490:10-1-3. Requirements for initial licensure for nursing/skilled nursing facility (includes ICF/IID) administrator (also known as nursing home administrator) [AMENDED]

- (a) In addition to the general requirements found in this Chapter, each applicant for initial licensure shall meet the requirements in this Section.
- (b) Each applicant shall provide, or shall cause to be provided, written evidence satisfactory to the Board of the following:
- (1) "Official Proof" [see 490:10-3-1.1. (relating to evidence requirements)] of successful completion of a formal program or program(s) of study, wherein applicant received, at a minimum, a bachelor's degree:
 - (A) applicant received a bachelor's degree from a college or university accredited by one of the regional accreditation organizations recognized by the U.S. Department of Education and the Board if the applicant's degree is from a school domiciled in the United States; or
 - (B) if the applicant received his degree from a college or university domiciled outside the United States [and, as such, the college/ university does not fall under the accreditation purview of any of the six (6) regional accreditation organizations recognized by the U.S. Department of Education and by the Board], applicant shall, at applicant's expense, cause a degree equivalency evaluation of his degree to be performed and the results sent directly to the Board. The Board shall assess the results of this degree equivalency evaluation and, at its sole discretion, determine if applicant's education and/or degree are equivalent, at a minimum, to a bachelor's degree earned from a regionally accredited college or university;
 - (2) Receipt of a passing score on the national "NAB" NHA examinations (Core and NHA Line of Service (LOS)) conducted by the National Association of Long Term Care Administrator Boards (NAB) as discussed in paragraph 10-3-2 of this document.
 - (3) Receipt of a passing score on the Oklahoma State Standards examination within the twenty-four (24) months preceding the month in which the Board will be taking action to license the applicant, and if applicant is not licensed during this 24-month time period, applicant will have to pay all required fees and re-take the examination prior to any future licensing attempts;
 - (4) Successful completion of Administrator University or a presumptively approved NAB-approved entry level course for Nursing Home Administrators within the twenty-four (24) months preceding the month in which the Board will be taking action to license the applicant, and if applicant is not licensed during this 24-month time period, applicant will have to pay all required fees and re-take Administrator University prior to any future licensing attempts (if the candidate has a degree in long term care administration from an institution accredited by NAB, the Administrator

- University may be waived);
- (5) Successful completion of the Administrator-in-Training (AIT) program (or documentation of an equivalent internship as part of a degree in long term care from an institution accredited by NAB) within the twenty-four (24) months preceding the month in which the Board will be taking action to license the individual, and if applicant is not licensed during this 24-month time period, applicant will have to pay all required fees and complete another AIT program prior to any future licensing attempts; and
 - (6) Payment of the required fee(s).
 - (7) An applicant with the HSE credential/qualification will have been verified through/by NAB. This means the Board has been assured by NAB that the applicant has:
 - (A) met or exceeded the minimum education requirement,
 - (B) passed the NAB NHA exam as well as the NAB RCAL exam and NAB HCBS exam and
 - (C) met or exceeded the requirement for AU and AIT, either by experience or education, and shall only be required to take and pass our State Standards examination and pay the required fees to be licensed as a NHA in Oklahoma.
- (c) The Board, at its sole discretion, may waive the Administrator University requirement and/or the Administrator-in-Training requirement if the applicant was previously licensed in Oklahoma as a long term care administrator, was in good standing with the Board while applicant was previously licensed in Oklahoma, and has been active in long term care for at least two (2) of the last five (5) years.
- (d) After the Board's staff has determined that all requirements for initial licensure have been met, an applicant may apply for a "temporary" license. The Executive Director may review and approve or disapprove issuance of a temporary license after an application has been made and additional licensure fees paid. An approved temporary license shall expire at the next regularly scheduled meeting of the Board when the application for licensure (no longer temporary) must be approved or disapproved by the Board.

490:10-1-3.1. Requirements for initial licensure for residential care/assisted living (RC/AL) administrators [AMENDED]

- (a) In addition to the general requirements found in this Chapter, each applicant for initial licensure as an RC/AL administrator shall meet the requirements in this Section. Administrators holding an RC/AL license may serve as an administrator in either an RCF or ALF.
- (b) Each applicant for initial licensure as an RC/AL administrator shall provide, or shall cause to be provided, written evidence satisfactory to the Board of receipt of a high school diploma (or GED) or a higher level of education. When the applicant is providing proof of education beyond high school or GED, the same level of "proof" detailed in paragraph 10-1-3(b) is required.
- (c) Each applicant for initial licensure as a RC/AL administrator shall provide, or shall cause to be provided, written evidence satisfactory to the Board of the following:
 - (1) Current training certification, where "current" is defined as being completed within the twenty-four (24) months preceding the month in which the Board will be taking action to license the individual:

- (A) through training from an institution of higher learning whose program has been approved by the Board, to include presumptively approved NAB approved entry level courses completed within 24 months prior to licensure; or
- (B) receipt of a nationally recognized assisted living certificate of training and competency for assisted living administrators that has been reviewed and approved by the Board;
- (C) Sources of certification are required to be reviewed and approved by the Board. Approved training sources shall include an expiration date on their certification which shall be two years after the date of the completion of their training.
- (D) Applicants for training shall provide or cause to be provided to the approved training entity evidence that they have met at least one of the following pre-requisites to enter training:
 - (i) At least one (1) consecutive year of health care experience, OR
 - (ii) At least thirty (30) college semester hours in a healthcare related field of study, OR
 - (iii) A Bachelor's degree in any field of study.
- (2) Receipt of a passing score on the Oklahoma State Standards examination for RC/AL administrators within the twenty-four (24) months preceding the month in which the Board will be taking action to license the applicant, and if applicant is not licensed during this 24-month time period, applicant will have to pay all required fees and re-take the examination prior to any future licensing attempts;
- (3) Receipt of a passing score on the national "NAB" RC/AL examinations (Core and RCAL Line of Service (LOS)) conducted by the National Association of Long Term Care Administrator Boards (NAB) as discussed in paragraph 10-3-2 of this document, and
- (4) Payment of the required fee(s).
- (5) Training certification required in (c) (1) above is a prerequisite to being able to take the State Standards examination; a passing score on the State Standards exam is a prerequisite to take the NAB RC/AL Exam.
- (d) The Board, in its sole discretion, may waive re-completion of the training requirement if the applicant was previously licensed in Oklahoma as an RC/AL administrator, was in good standing with the Board while applicant was previously licensed in Oklahoma, and has been active in long term care for at least two (2) of the last five (5) years.
- (e) After the Board's staff has determined that all requirements for initial licensure have been met, an applicant may apply for a "temporary" license. The Executive Director may review and approve or disapprove issuance of a temporary license after an application has been made and additional licensure fees paid. An approved temporary license shall expire at the next regularly scheduled meeting of the Board when the application for licensure (no longer temporary) must be approved or disapproved by the Board.

490:10-1-3.2. Grandfathered license [REVOKED]

490:10-1-3.3. Requirements for initial licensure for residential care (RC)

administrators [AMENDED]

- (a) In addition to the general requirements found in this Chapter, each applicant for initial licensure as an RC administrator shall meet the requirements in this Section. Administrators holding an RC license may serve as an administrator in an RCF and may not serve in any other facility type.
- (b) Each applicant for initial licensure as an RC administrator shall provide, or shall cause to be provided, written evidence satisfactory to the Board of receipt of a high school diploma (or GED) or a higher level of education. When the applicant is providing proof of education beyond high school or GED, the same level of "proof" detailed in paragraph 10-1-3(b) is required.
- (c) Each applicant for initial licensure as a RC administrator shall provide, or shall cause to be provided, written evidence satisfactory to the Board of the following:
 - (1) Current training certification (completed within the twenty-four (24) months preceding the month in which the Board will be taking action to license the individual) through training from an institution of higher learning whose program has been approved by the Board, to include presumptively approved NAB-approved entry level courses completed within 24 months prior to licensure;
 - (2) Receipt of a passing score on the Oklahoma State Standards examination for RC administrators within the twenty-four (24) months preceding the month in which the Board will be taking action to license the applicant, and if applicant is not licensed during this 24-month time period, applicant will have to pay all required fees and re-take the examination prior to any future licensing attempts;
 - (3) Receipt of a passing score on the "NAB" Core examination conducted by the National Association of Long Term Care Administrator Boards (NAB) as discussed in paragraph 10-3-2 of this document,
 - (4) Payment of the required fee(s), and
 - (5) Training certification required in (c)(1) above is a prerequisite to being able to take the State Standards examination.
- (d) The Board, in its sole discretion, may waive re-completion of the training requirement if the applicant was previously licensed in Oklahoma as an RC administrator, was in good standing with the Board while applicant was previously licensed in Oklahoma, and has been active in long term care for at least two (2) of the last five (5) years.
- (e) After the Board's staff has determined that all requirements for initial licensure have been met, an applicant may apply for a "temporary" license. The Executive Director may review and approve or disapprove issuance of a temporary license after an application has been made and additional licensure fees paid. An approved temporary license shall expire at the next regularly scheduled meeting of the Board when the application for licensure (no longer temporary) must be approved or disapproved by the Board.

490:10-1-3.4. Grandfathered license [REVOKED]

490:10-1-3.5. Requirements for initial licensure for adult day care (ADC) administrators [AMENDED]

- (a) In addition to the general requirements found in this Chapter, each applicant for initial licensure as an ADC administrator shall meet the requirements in this Section.

- (b) Each applicant for initial licensure as an ADC administrator shall provide, or shall cause to be provided, written evidence satisfactory to the Board of the following:
- (1) One of the following:
 - (A) A high school diploma (or GED) AND five (5) consecutive years supervisory experience (full-time or equivalent) in a long term care or geriatric setting; OR
 - (B) A Bachelor's degree AND one (1) year of supervisory experience, preferably in a social or health services setting; Each applicant for initial licensure as an ADC administrator under this provision shall provide, or shall cause to be provided, written evidence satisfactory to the Board of receipt of Bachelor's degree. The same level of "proof" detailed in paragraph 10-1-3(b) is required; OR
 - (C) An active Oklahoma Nursing license (either LPN or RN), in good standing, and two years of nursing experience.
 - (2) Successful completion of Board approved training for adult day care administrators (completed within the twenty-four (24) months preceding the month in which the Board will be taking action to license the individual), to include presumptively approved NAB-approved entry level courses completed within 24 months prior to licensure;
 - (3) Receipt of a passing score on the Oklahoma State Standards examination for adult day care administrators within the twenty-four (24) months preceding the month in which the Board will be taking action to license the applicant, and if applicant is not licensed during this the twenty- four (24) month time period, applicant will have to pay all required fees and re-take the examination prior to any future licensing attempts;~~and~~
 - (4) Receipt of a passing score on the "NAB" Core examination conducted by the National Association of Long Term Care Administrator Board (NAB) as discussed in paragraph 10-3-2 of this document, and
 - (5) Payment of the required fee(s).
- (c) After the Board's staff has determined that all requirements for initial licensure have been met, an applicant may apply for a "temporary" license. The Executive Director may review and approve or disapprove issuance of a temporary license after an application has been made and additional licensure fees paid. An approved temporary license shall expire at the next Board meeting when the application for licensure (no longer temporary) must be approved or disapproved by the Board.

490:10-1-3.6. Grandfathered license [REVOKED]

490:10-1-4. Requirements for licensure by endorsement for long term care administrators [AMENDED]

- (a) In addition to the general requirements found in this Chapter, each applicant for licensure by interstate endorsement as a long term care administrator shall meet the requirements of this Section.
- (1) The Board permits licensure for candidates for Nursing Home Administrators from other jurisdictions who have met the following minimum requirements.
 - (A) Submission to the Board of "Official Proof" of successful

completion of a formal program(s) of study and, at a minimum, receipt of a bachelors degree that meets the requirements set forth in 490:10-1-3.;

- (B) Submission to the Board of evidence of current licensure, in good standing, as a long term care/nursing home administrator, and submission of proof that applicant has:
 - (i) served full time as the administrator-of-record for the past two (2) consecutive years in a jurisdiction regulated by a licensing authority.; or
 - (ii) been active as a licensed nursing home administrator in a jurisdiction regulated by a licensing authority for at least two (2) of the past three (3) consecutive years;
 - (C) Submission to the Board of proof of initial licensure as a long term care/nursing home administrator, including active NAB NHA Exam scores, and proof that such license is in ;
 - (D) Submission to the Board of full disclosure of any/all pending disciplinary actions or current investigations against applicant as well as any sanctions imposed against applicant's long term care/nursing home administrator license or against any professional license he presently holds or has ever held in any other State or jurisdiction, including, but not limited to: revocation; suspension; 'voluntary surrender'; other licensure restriction(s) that limited applicant's practice under such license; or the assessment of monetary penalties or fines or the assessment of additional CEUs by the licensing entity as a result of disciplinary proceedings. Loss of a professional license due to nonrenewal or failure to obtain the required number of annual CEU hours is excepted from the full and complete disclosure otherwise required herein;
 - (E) Documentation related to current or previous licensure shall be submitted directly to the Board by the state-appointed authority(ies) regulating the respective license(s) OR by NAB when the applicant has the HSE credential/qualification; and
 - (F) Payment of the required fee(s).
- (2) The Board, in its sole discretion, shall assess the magnitude of any disciplinary action taken by other licensing authorities in its determination of applicant's eligibility for an Oklahoma license.
- (3) In accordance with provisions detailed in 59 O.S. 4100.5(B) and (C), the Board will expedite the approval process for endorsement applicants where the license requirements of the other state are substantially equivalent to Oklahoma requirements. All applicants determined eligible for Oklahoma licensure by endorsement, the spouse of an active duty military member, a spouse subject to a military transfer or someone who left employment in another state to accompany the person's spouse to Oklahoma shall be required to sit for and receive a passing score on the Oklahoma State Standards examination and pay the required license fee before a license is granted by the Board through approval of the Executive Director. Only those applicants to whom this applies with a record of any form of disciplinary action by another licensing authority or any other possible negative indicator shall be required to be approved by a vote of the Board. It shall be the sole responsibility of the applicant to notify staff if this expedited pathway to licensure per Title 59 provisions applies to them and to provide satisfactory evidence of the same. A Temporary License may be

issued (fees shall not be waived) for those to whom this applies, at their request, upon a complete application and all qualifications being met except having passed the applicable State Standards Examination. The Temporary license shall expire after no more than sixty (60) days from the date of issuance and may only be issued one time per applicant.

- (b) In addition to the general requirements found in this Chapter, each applicant for licensure by interstate endorsement as a residential care/assisted living (RCAL) administrator shall meet the requirements of this Section.
- (1) The Board permits licensure for candidates for RCAL Administrators from other jurisdictions who have met the following minimum requirements.
- (A) Submission to the Board of "Official Proof" of successful completion of a formal program(s) of study and, at a minimum, receipt of a high school diploma; meeting the requirements of proof for a bachelors degree meeting the requirements set forth in 490:10- 1-3 exceeds the high school diploma minimum requirement.;
- (B) Submission to the Board of evidence of current licensure, in good standing, as a long term care/RCAL administrator, and submission of proof that applicant has:
- (i) served full time as the administrator-of-record for the past two (2) consecutive years in a jurisdiction regulated by a licensing authority; or
- (ii) been active as a licensed RCAL administrator in a jurisdiction regulated by a licensing authority for at least two (2) of the past three (3) consecutive years;
- (C) Submission to the Board of proof of initial licensure as a long term care/RCAL administrator, including active NAB RCAL Exam scores, and proof that such license is in good standing with that licensing authority;
- (D) Submission to the Board of full disclosure of any/all pending disciplinary actions or current investigations against applicant as well as any sanctions imposed against applicant's long term care/RCAL administrator license or against any professional license he presently holds or has ever held in any other State or jurisdiction, including, but not limited to: revocation; suspension; 'voluntary surrender'; other licensure restriction(s) that limited applicant's practice under such license; or the assessment of monetary penalties or fines or the assessment of additional CEUs by the licensing entity as a result of disciplinary proceedings. Loss of a professional license due to nonrenewal or failure to obtain the required number of annual CEU hours is excepted from the full and complete disclosure otherwise required herein;
- (E) Documentation related to current or previous licensure shall be submitted directly to the Board by the state-appointed authority(ies) regulating the respective license(s); and
- (F) Payment of the required fee(s).
- (c) There is typically no licensure by endorsement allowance for licensure for the RC license or the Adult Day Care License. All out of state licensure applications for these licensure types (except NHAs from other states applying for one these licenses) shall be treated as initial licensures with the exception of individuals who previously passed a required NAB sanctioned exam, shall not be required to re-take that exam, however these individuals must provide proof of having passed that exam if/when

required to meet Oklahoma licensure requirements. However, a person licensed in another jurisdiction as a NHA or equivalent but who does not have a bachelor's degree may be eligible to apply for the RCAL, RC or Adult Day Care Administrators license (or to be certified as a CAA) in Oklahoma if they have met all other requirements (experience, license in good standing, NAB scores, fees paid).

- (d) In accordance with requirements detailed in 59 O.S. 4100.5(A), it shall be incumbent on the applicant to notify OSBELTCA Staff during the application process if the applicant is the spouse of a military service member on active duty in Oklahoma, or is claiming permanent residency in the state for six (6) months prior to active duty or during the period of active duty. Staff will expedite the process to the extent possible. Approval of the license will be in accordance with OAC 490:10-1-4(a)(4) above.

490:10-1-4.1. Requirements for registration for licensure reciprocity for long term care administrators [ADDED]

- (a) In addition to the general requirements found in this Chapter and upon the applicant fully proving eligibility for licensure by endorsement (they must meet all the same requirement as outlined in 10-1-4), each applicant registering their license from another state to work in Oklahoma with that license shall be required to pay an application fee to begin the process of registering their out-of-state license in Oklahoma. Registrants will be required agree to comply with and culpable for Oklahoma and federal laws applicable to the facilities where they are employed as well as for the laws applicable to licensed Oklahoma long-term care administrators. Upon receipt of the required documents, and receipt of a registration fee equivalent to the licensure fee, the Executive Director may approve the registration so long as there are no negative indicators, or otherwise the application will have to be approved by the Board (similar to the licensure by endorsement process).
- (b) Renewals of the registrations will also follow similar procedures to licensure renewals expiring at the end of the calendar year and being renewed with a renewal fee equivalent to licensure fees.
- (c) Should the original license lapse or be vacated for any reason, the registration for use in Oklahoma will be considered invalidated.
- (d) Any violations of Oklahoma law as determined by the Board through the probable cause process can result in the same penalties as well as being reported to the NPDB and/or the jurisdiction where the original license(s) is/are held.

490:10-1-5. Requirements for a provisional license as a nursing home administrator or residential care/assisted living (RC/AL) administrator

- (a) To fill a position of administrator that unexpectedly becomes vacant, the Board may grant one (1) provisional license for a single period not to exceed six (6) months. The Board shall not grant another provisional license to fill a vacancy at the same facility for a period of one year after the date the provisional license is

granted.

- (b) In addition to the general requirements found in this Chapter each applicant for a provisional license shall meet the requirements of this Section.
- (c) A provisional license may be granted to a person who does not meet all of the licensing requirements established by the Board, but who:
 - (1) For a provisional nursing home administrator license, has successfully completed a formal program(s) of study and, at a minimum, received a bachelor's degree that meets the requirements set forth in 490:10-1-3(b)(1) (A) or (B).
 - (2) Has obtained the services of a currently-licensed Oklahoma long term care administrator to act as an on-site consultant to the provisional licensee;
 - (3) Has provided the Board with satisfactory evidence indicating he has at least two (2) years of experience in a long term care facility;
 - (4) Has received a passing score on the current applicable Oklahoma State Standards examination; and
 - (5) Has paid the required fee(s).
- (d) A provisional license shall not be issued to a current AIT and/or AU student unless that student/AIT had previously passed the NAB NHA exam.
- (e) The consultant administrator to a provisional licensee must have been employed as an administrator in a comparable long term care facility in Oklahoma for a minimum of the last two (2) years.
- (f) The consultant administrator to a provisional licensee shall:
 - (1) Provide direct supervision of the provisional licensee for at least eight (8) hours per week with no more than 10 calendar days lapsing between consultant visits to the provisional licensee's facility; and
 - (2) Submit monthly evaluation reports on the provisional licensee to the Board no later than the tenth day of each month for the duration of the provisional license.

490:10-1-5.1. Requirements for a provisional license as a residential care administrator

There is no provisional license provision for residential care administrators.

490:10-1-5.2. Requirements for a provisional license as an adult day care administrator

There is no provisional license provision for adult day care administrators.

490:10-1-6. Administrator responsibilities [AMMENDED AND RENUMBERED TO 490:10-13-2]

490:10-1-7. Waiver of rule [REVOKED]

490:10-1-8. Administrator code of ethics [AMMENDED AND RENUMBERED TO 490:10-13-1]

490:10-1-9. Inactive license [REVOKED]

490:10-1-10. Requirements for reinstatement from inactive status [REVOKED]

490:10-1-11. Requirements for restoration from suspended status

- (a) In addition to the general requirements found in this Chapter, each applicant for restoration of a suspended license shall meet the requirements in this Section.
- (b) Individuals seeking restoration of a license that has been suspended must petition and appear, in person, before the Board and provide the Board with written documentation that he has complied with all terms of the suspension.
- (c) The Board, in its sole discretion, may restore a suspended license after the suspension time has elapsed, upon submission of evidence satisfactory to the Board that the conditions responsible for the suspension no longer exist and that no other reasons exist which warrant continued suspension.
- (d) Evidence shall include complete documentation attested to under oath and by witnesses of facts that indicate that the conditions responsible for the suspension no longer exist. Letters of recommendations from employees, officers of courts, or respected members of the individual's community may also be submitted.
- (e) Petitioners who have been suspended may be required to complete continuing education hours (in addition to those required for license renewal), and/or specific Administrator-In-Training (AIT) modules, and/or the portions of or the entire Administrator University curriculum at the discretion of the Board, at the expense of the applicant.
- (f) Petitioners who were suspended but allowed their license to lapse while suspended or while pending adjudication of a case that resulted in suspension shall be required, at the time of their petition for reinstatement, to pay the renewal fees for every year they did not renew. If they are unable to show documented proof of completion of the continuing education requirements for the entire period of their suspension, they shall also be subject to the provisions of OAC 490:1-9-5(d) except that the penalty must be complied with (CE accomplished and fines paid) prior to the Board reviewing the petition for reinstatement. The license may however be removed from the former lapsed status and returned to suspended status (requiring annual renewal and annual completion of CE requirements) but meeting these requirements does not obligate the Board to reinstate the license.

**SUBCHAPTER 3. APPLICATION FOR LONG TERM CARE
ADMINISTRATOR LICENSURE**

490:10-3-1. Application for initial licensure, licensure by endorsement, or provisional license [AMENDED]

- (a) Each applicant for licensure as a long term care administrator shall make a verified application on a form furnished by the Board stating the license type for which he is applying and remit a non-refundable application fee as prescribed by the Board at OAC 490:1-7-2.
- (b) An application for initial license or for a provisional license is valid concurrent with the time constraints set for licensure following completion of training (see OAC 490:10-1-3 through 10-1-2.5 for requirements).
- (c) An applicant for licensure by endorsement or registering for reciprocity shall be deemed to have abandoned the application if he does not fulfill all requirements for licensure within one year from the date of application.
- (d) An application for Administrators University (AU) shall be used as an application for initial licensure. However, if this application is over a year old when all requirements have been met, the Board shall require that the application be updated. Such an application shall be deemed abandoned if it has not been updated within the time restrictions for licensure.
- (e) An application for licensure submitted subsequent to the abandonment of a former application shall be treated as a new application and the applicant must meet current requirements for licensure as a long term care administrator.
- (f) Upon receipt of an application for licensure, the Board shall request that a criminal history background check be performed on the individual requesting licensure. If the results of a criminal background check reveal that the applicant has been convicted of or pleaded guilty or nolo contendere to any felony or to any misdemeanor involving moral turpitude, the individual's application for licensure may be disapproved and no further action will be taken on the application.
- (g) An application is complete when:
 - (1) the application fee prescribed by the Board at OAC 490:1-7-2. has been remitted and deposited to the Board's credit with the State Treasurer (the date of payment of the application fee establishes the date of the application);
 - (2) all documentation required to be submitted along with or in support of the application has been received by the Board;
 - (3) the applicant has met all other requirements for an initial license, for licensure by endorsement, for a provisional license or a certification, as applicable, and
 - (4) the results of the criminal background check have been received by the Board .
- (h) Upon verification of compliance with all requirements, an applicant shall be eligible for consideration by the Board for purposes of licensure as a long term care administrator.
- (i) A license will not be issued until all fees are paid in full.
- (j) The certificate of license shall be presented at the Board meeting when it is approved, if possible, or mailed to the applicant within seven (7) working days of Board's formal grant of license to the applicant. Applicants are encouraged to attend the Board meeting.
- (k) A temporary license may also be applied for in accordance with the applicable provisions in paragraph 10-1-3(d), 10-1-3.1(e), 10-1-3.3(e), or 10-1-3.5(c) at the discretion of the applicant.

490:10-3-1.1. Evidence requirements

- (a) To satisfy the Board's requirement for evidence verifying educational degree(s) conferred or hours of post-secondary education completed, the applicant shall cause an official transcript(s) to be sent directly to the Board office from the educational institution(s) that awarded the degree(s) and/or from the educational institution(s) at which the post-secondary education was completed. Transcripts issued to the student, or copies thereof, shall not be accepted.
- (b) To satisfy the Board's requirement for evidence indicating experience, the applicant shall submit a declaration signed by a licensed long term care administrator, medical director, director of nurses, or registered nurse who can attest to the applicant's work experience.

490:10-3-2. National examination

- (a) "NAB Examination(s)" refers to the required examination(s) for a particular license type. Prior to July 2017, NAB conducted only two examinations - one for the NHA and one for the RCAL license types. Many administrators will have single scores from those exams on file. After this date, the examinations were broken into two (2) parts consisting of a "Core" examination and a "Line of Service" or "LOS" module exam, with three (3) different LOS exams possible - the existing NHA and RCAL with HCBS (Home and Community Based Services) being the third LOS "module" added. The "Core" examination items are those items that according to NAB's periodic professional practice analysis have been determined to be "core" to all lines of service as an administrator where the LOS exams or modules are specific to those lines of service. NAB's HSE credential, for example, would require that one will have passed all four (4) of these exams (the "Core" and all three LOS exams). Other licenses may require the Core and a corresponding LOS exam be passed, but viewed as a single exam requirement. It is also possible to simply have a requirement for the Core exam wherein the LOS exams available may not be viewed as wholly compatible with the license/certification type. When one speaks of the NAB Exam, they would typically be referring to the "whole" requirement for an exam or series of exams for the specified license type or credential which explains why it's possible to be referenced in singular or plural.
- (b) An individual applying for an initial license must receive a passing score on the applicable exam, either the Nursing Home Administrator ("NHA") examination (Core and NHA module) or the Residential Care/Assisted living ("RC/AL") exam (Core and RCAL module), administered by the National Association of Long Term Care Administrator Boards (NAB) (neither is applicable to Residential Care or Adult Day Care administrator applicants). The Board may waive this requirement if the applicant provides evidence that he has successfully passed the appropriate NAB examination at a previous time. The NAB's RC/AL (Residential Care/Assisted living) exam does not meet the requirements for a nursing home administrator license. An applicant showing proper evidence of having the HSE credential shall be considered to have shown evidence that he passed both the NHA and RCAL exams as well as the HCBS exam. An applicant who tested prior to the implementation of the Core and LOS modules shall be considered to have passed the Core as well as either the NHA or RCAL module (or both) depending on the test(s) taken and passed.
- (c) An applicant for licensure by endorsement who has previously passed the required

NAB examination will not be required to retake the examination if the applicant provides evidence of a passing score.

- (d) An individual applying for a provisional license shall not be required to pass the applicable NAB examination to be provisionally licensed.
- (e) Fees for all national examinations shall be in an amount prescribed by and are due and payable to the NAB or its authorized designee.

490:10-3-3. State Standards examination

- (a) An individual applying for an initial license, licensure by endorsement, registering for reciprocity, or a provisional license, must, prior to the issuance of the respective license, receive a passing score on the appropriate State Standards examination for the license for which he is applying. There shall be a separate examination for each type of license. First time applicants for initial licensure shall have received a passing score on the State Standards examination within the twenty-four (24)-months preceding the month in which the Board will be taking action to license the applicant, and if applicant is not licensed during this 24-month time period, applicant will have to pay all required fees and re-take the examination prior to any future licensing attempts. Applicants for licensure by endorsement, applicants for a provisional license and applicants for initial licensure who have previously held an Oklahoma long term care administrator license must, prior to the issuance of the respective license, successfully pass the applicable current State Standards examination.
 - (1) Applicants for an initial license must take and pass the appropriate State Standards Examination prior to being eligible for an applicable NAB exam.
 - (2) Board staff are required to receive the testing results from the testing source to validate the passing scores of all examinations, to include the State Standards Examinations.
- (b) The application must be complete and supporting documents required by the Board for licensure must be completed and on file with the Board prior to entering training and/or prior to being approved to take the applicable examination(s).
- (c) The Board will periodically schedule examinations and publish the dates and times in a timely manner on the website. Applicants are permitted to take the examination during these scheduled examinations or they may opt to take the examination at a testing facility where it is administered. State examinations taken in a testing facility shall be scheduled by the candidate when eligible and shall be administered through the same examination procedures as the NAB examinations are conducted, including but not limited to the use of electronic or online methods of examination.
- (d) The Board has determined the passing score for all State Standards examinations to be Seventy-Five percent (75%) or greater, and shall apply this standard uniformly to all persons taking the examinations.
- (e) Fees for the State Standards examination administered by the Board shall be in an amount prescribed by the Board at OAC 490:1-7-2. All examination fees must be paid prior to examination.

490:10-3-4. Admission to the State Standards and National Examinations

- (a) Applicants must meet requirements to sit for a state examination. When a NAB examination is required, they must first pass the state exam.
- (b) Applicants for licensure by endorsement, for a provisional license, registering for reciprocity and for a certification as an assistant administrator (nursing facility only) are eligible to sit for the State Standards examination on the next scheduled testing date, or pay the appropriate fee for an unscheduled testing date, or they may schedule the examination through a testing facility that administers the examination.
- (c) Applicants shall not compromise the NAB or the Oklahoma State Standards examination by disclosing any information, questions, or answers on these examinations. Applicants shall complete a "Test Confidentiality and Attestation" form provided by the Board or an online equivalent.
- (d) Failure to observe the confidentiality of a NAB Examination or an Oklahoma State Standards Examination may result in disciplinary action by the Board as outlined in OAC 490:10-5-3(a)(23).

490:10-3-5. Application for licensure/certification/registration renewal

[AMENDED]

- (a) Each applicant for a renewal of a license, certification or registration shall:
 - (1) File an application, on the form and in the manner as prescribed by the Board (online), prior to the expiration date of the current license/certification/registration.
 - (2) Submit evidence, upon request, satisfactory to the Board that the applicant has successfully completed the hours of continuing education as required for license renewal. During the renewal process, licensees certify that they have or will have accomplished the required continuing education requirements during the licensure year. The Board conducts random audits of this accomplishment each year per OAC 490:1-9-5(c).
 - (3) Be in compliance pursuant to 68 O.S. Section 238.1 with State income tax requirements. If a licensee whose license is on 'active' status is found to be in non-compliance with these State income tax requirements:
 - (A) such license shall not be renewed; and
 - (B) licensee shall not have recourse against the Board for non- renewal of his license.
 - (4) Submit to a criminal background check. Concurrent with the annual CE audits conducted per OAC 490:1-9-5(c), the Board will randomly select not less than a five (5%) percent sample from all renewed licenses against which sample the Board will perform criminal background checks. If the results of a criminal background check reveal that a licensee has been convicted of or pleaded guilty or *nolo contendere* to any misdemeanor involving moral turpitude or to any felony, or to any of the barrier offenses listed at OAC 490:10-1-2.1, the licensee will be subject to Board sanction(s), including license suspension or revocation.
 - (5) Remit the Annual License Renewal fee as prescribed by the Board at OAC 490:1-7-2 and ensure all outstanding fees and fines owed to the Board have been paid. If a licensee has outstanding fees or fines owed to the Board, licensee shall not be permitted to renew his license until the same have been paid in full to the Board, provided that such payment is made prior to the expiration of the current license. If such payment is not made prior to the expiration date of the current license, licensee no longer holds a valid license

and licensee is considered to have abandoned his license and the practice of long term care administration, and the Board shall take action to formally vacate his license. If this occurs, and if he wishes to resume the practice of long term care administration, he must re-apply to the Board, fully satisfy any/all outstanding fees or fines owed to the Board, and meet current requirements for initial licensure as a long term care administrator.

- (b) A suspended license is an 'active' license against which the Board has taken disciplinary action and suspended licensee's ability to engage in the practice of long term care administration. As such, a suspended license shall be subject to expiration and shall be renewed as provided in this Section. Renewal of a suspended license shall not entitle the licensee to engage in the practice of long term care administration until the suspension is removed by the Board and the privilege to practice long term care administration is restored by the Board.
- (c) It is the personal responsibility of each licensee to renew his license prior to the expiration date of the current license and, further, to ensure that the information he provides for purposes of renewal is true and accurate.
- (d) If the license is not renewed by the last day of the current licensing year, a late fee of \$100 per week shall be assessed wherein the first day equates to the first week (e.g., week 2 starts on the 8th day...) up until the first Board meeting of the year when all non-renewed licenses at that point shall be declared lapsed by the Board and those licensees shall be considered to have abandoned their licenses and do not hold a valid license as of 12:01 a.m. on the day after expiration and shall not hold a position or function in the capacity as a long term care administrator in Oklahoma.
 - (1) Credential holders (licensees, certificate holders, registrants) may actively opt out of renewing their credential for the following year by acknowledging that they have agreed to having their license vacated by the Board and are waiving the notices sent by Board staff regarding late renewals. The decision to have the credential vacated in these cases is made by the credential-holder.
 - (2) Should the credential holder who actively opted not to renew later decide to renew after the expiration date but before the Board has taken action to vacate other credentials for the year, they will follow the same procedures to renew late as those who failed to renew but take responsibility to do so without notifications from Board Staff, having waived such notices upon actively opting to not renew.
- (e) All lapsed licensees or certificate holders, following this declaration, (if he wishes to resume the practice of long term care administration) must re-apply to the Board and meet current requirements for initial licensure as a long term care administrator, provided that the individual petitioner can provide evidence to the Board that he complied with all lawful requirements for the retention or renewal of the license.
- (f) All non-renewed licenses shall be presented to the Board at a meeting of the Board. The Board shall take formal action at that meeting to vacate all non-renewed licenses.
- (g) Following this Board meeting, a listing of all licenses vacated by the Board shall be submitted to the Oklahoma State Department of Health, Long Term Care Services Division.
- (h) An individual who practices after the expiration (lapsed or vacated) of his license is practicing without a license and is subject to disciplinary action and/or sanctions as determined by the Board.
- (i) A license that is vacated with an open case is required to be reported to the National Practitioners Data Base (NPDB) and included in the Board's Complaint Registry.
- (j) Title 59 O.S. 4100.6(A), (B), (C) and (D), notwithstanding any other statutes to the contrary, provides for the automatic extension of license or certification for active duty military service members. The licensee to whom this applies shall be required to

notify OSBELTCA staff and provide satisfactory evidence they are active duty and the status of their license shall become "Military."

- (1) The license must be in good standing at the time the status is changed.
- (2) The licensee must keep the Board informed of address changes and any changes in their active duty status. Failure to keep the Board informed in a timely manner shall cause the status of the license to be vacated by an action of the Board.
- (3) While the active duty member is deployed and circumstances with military duty prevent obtaining training, the license will be renewed annually by staff without the payment of renewal fees and without a continuing education requirement .
- (4) The license or certificate issued/renewed pursuant to this paragraph may be continued as long as the licensee or certificate holder is a member of the Armed Forces of the United States on active duty and for a period of at least one (1) year after discharge from active duty.

490:10-3-6. Provisional licensure term

A provisional license shall expire six (6) months from the effective date of the provisional license and shall not be renewed.

SUBCHAPTER 5. DISCIPLINE

490:10-5-1. Expiration [AMMENDED AND RENUMBERED TO 490:10-3-6]

490:10-5-2. Renewal [AMMENDED AND RENUMBERED TO 490:10-3-5]

490:10-5-3. Disciplinary action [AMENDED]

- (a) This subchapter applies to all long term care administrators (licensed and/or registered), certified assistant administrators (CAAs), any person applying for licensure, registration, or certification, unlicensed persons acting as administrators without a license or certification, and any person acting as administrator with a revoked, suspended, surrendered, lapsed or vacated license.
- (b) The Board may take action against a licensed/registered administrator or an unlicensed person acting as administrator, and may deny an initial application; deny an application for reinstatement; deny a licensure by endorsement application; deny a renewal application; suspend or revoke a long term care administrator license or certification, a provisional license, a preceptor certification, an assistant administrator's certification, or an AIT internship training permit; warn; censure; reprimand; impose administrative fines and/or costs including attorney fees, impose probation or use other remedies that may be considered to be less than suspension or revocation upon satisfactory evidence of any of the following:
- (1) Obtaining or attempting to obtain a license, registration or certificate by fraud, deceit, or misrepresentation; or misrepresenting one's self as holding a license or certification when they do not.
 - (2) Conviction of or a plea of guilty or *nolo contendere* to any felony or to any misdemeanor involving moral turpitude, or any barrier offense listed in OAC 490:10-1-2.1.
 - (3) Use of legally-prescribed or illegal drugs (narcotics or other dangerous drugs) or alcohol or the dependence on legally-prescribed drugs or illegal drugs or alcohol, or gambling, if such use or dependence, or such gambling, or the behaviors related to or resulting from such use or dependence compromise the individual's ability or capacity to fulfill his duties or responsibilities in the long term care facility, or if the same constitute(s) a criminal offense.
 - (4) Commitment to a mental institution or judicial determination of incompetence.
 - (5) Gross negligence, or negligence that constitutes a danger to the health, welfare or safety of the residents or the public.
 - (6) Physical or verbal abuse of a resident or misappropriation of a resident's funds or property; failure to report an allegation of physical or verbal abuse of a resident or misappropriation of a resident's funds or property to appropriate state authorities as required by law.
 - (7) Fraudulent, deceptive or dishonest conduct in the management of a long term care facility, or other conduct unbecoming to a person licensed or subject to licensure under this law when, in the judgment of the Board, such conduct is detrimental to the best interest of the long term care field, the long term care

- administrator profession and/or the public.
- (8) Except as otherwise permitted in this Chapter, concurrently serving or acting as the administrator of more than one nursing facility or assisted living facility; or exceeding the conditions placed on administrators of ICFs/MR with 16 beds or less as stated in this Chapter; or otherwise serving as an administrator beyond the scope of their licensed authority.
 - (9) Failure to comply with State or federal requirements applicable to the facility.
 - (10) Failure to comply with rules and requirements for administrators established by the Board, including the Administrator Code of Ethics and Administrator Responsibilities adopted by the Board.
 - (11) Evidence that the administrator has paid, given, has caused to be paid or given or offered to pay or to give to any person a commission or other valuable consideration for the solicitation or procurement, either directly or indirectly, of long term care facility patronage.
 - (12) Intentional retaliation or discrimination against any resident or employee for contacting or providing information to any State official, licensing agency or regulatory agency.
 - (13) Failure to provide verification of continuing education hours.
 - (14) Sexual abuse, sexual harassment, or sexual exploitation of any resident, employee, trainee, volunteer, consultant, or visitor to the facility in which the licensee practices.
 - (15) Falsification of any records or documents relating to the operation of a long term care facility; falsification of records or documents submitted to the Board or any other state or federal agency; falsification of a resident's records, or causing a resident's records to be falsified.
 - (16) Use of the licensee's professional status, title, position, or relationship as a long term care facility administrator to coerce, improperly influence, or obtain money, property, or services from a resident, resident's family member, employee, visitor, or any person served by or doing business with the facility that employs the administrator.
 - (17) Interfering with, refusing to participate in, or impeding any investigation, inspection, or disciplinary proceeding authorized by Statute.
 - (18) Violation of any disciplinary order, consent agreement, term of suspension, condition, stipulation, or any other limitation imposed on the licensee by the Board.
 - (19) Unlicensed practice, practice on a revoked, suspended, or lapsed license; or practice on a provisional license without the use of an on-site consultant or practice as a Certified Assistant Administrator without the oversight of an Administrator-of-Record.
 - (20) Failure to pay fees or fines established or imposed by the Board.
 - (21) Knowingly aiding, assisting, or advising a person to unlawfully practice as an administrator without a required license/registration.
 - (22) Failure to adequately supervise an assistant administrator and/or failure to assure that the assistant administrator complies with state and federal requirements applicable to the facility.
 - (23) Conduct that violates the security of any licensure examination materials.
 - (24) Coercion or harassment, or the attempt to coerce or harass, or the use of any other form of uninvited solicitation directed toward a resident of a long term care facility or toward a member of the resident's family or the resident's guardian for the purpose of attempting to persuade the resident to change long term care facilities.
 - (25) Failure to notify the Board of a change of name, business or personal mailing

address(es), or change of employment within fifteen (15) calendar days of the occurrence.

- (26) Coercion or harassment of, or the attempt to coerce or harass, a member of the Board, a Board employee or an authorized agent or representative of the Board as related to any matter or issue over which the Board has jurisdiction.
 - (27) Exclusion by the Department of Health and Human Services Office of Inspector General from participation in any capacity in the Medicare, Medicaid, and all Federal health care programs as defined in section 1128B(f) of the Social Security Act.
- (c) When the Board places a license in probationary status, it may require the licensee to have a "consultant" administrator during the probationary period. The consultant shall agree to the terms of the consultant role as defined in 490:10-1-5(c) (2), meet the qualifications in 490:10-1-5(e), and agree to the requirements of a consultant as listed at 490:10-1-5(f)(1) and (2).
 - (d) The Board may stipulate requirements for reinstatement in disciplinary orders that are consistent with OAC 490:10-1-11 requirements for reinstatement from suspended status.

490:10-5-4. Auditing of continuing education [REVOKED]

490:10-5-5. Summary suspension

- (a) The Board may order a summary suspension of an administrator's license/certification or an intern/trainee Administrator-In-Training internship permit, if, in the course of an investigation, it is determined that the respondent has engaged in conduct of a nature that is detrimental to the health, safety, or welfare of one-or-more residents or to the health, safety or welfare of the public, or detrimental to the profession of long term care administration, and which conduct necessitates immediate action to prevent further harm.
- (b) The Board shall be charged with making the determination that an emergency exists and that a summary suspension is necessary, and shall incorporate in its Order that public health, safety or welfare requires emergency action.
- (c) Proceedings for revocation or other appropriate action shall be promptly instituted and a determination promptly rendered by the Board.

SUBCHAPTER 7. ADMINISTRATOR UNIVERSITY

490:10-7-1. Application [REVOKED]

490:10-7-2. Acceptance and notification [REVOKED]

490:10-7-3. General provisions [AMENDED]

- (a) The Board is committed to providing learning opportunities to individuals interested in pursuing a career in long term care administration, and enhancing the development of licensed administrators. To further this objective, the Board has established an Administrator University (AU) for nursing home administrator and Certified Assistant Administrator (CAA) applicants with curriculum designed specifically to educate individuals with knowledge and skills that may assist them in becoming a successful nursing home and/or ICF/MR administrator or CAA. The Board will periodically review and approve or establish training for residential care/assisted living and adult day care administrators as deemed necessary.
- (b) Effective August 1, 2006, individuals applying to become nursing home administrators shall successfully complete Administrator University (AU) prior to being licensed. Effective January 1, 2019, individuals applying to become Certified Assistant Administrators shall successfully complete AU prior to being certified. The Board presumptively approves NAB-approved entry level training designed for Nursing Home Administrators for either the NHA or CAA requirement to complete AU.
- (c) Administrators who are already licensed in the State of Oklahoma as a nursing home administrator may enter Administrator University at their own expense for enhanced training if classroom space is available.
- (d) Upon mutual agreement of the Board and licensee, specific classes or the entire Administrator University curriculum may be imposed as a penalty for the violation of rules and/or standards established by the Board.
- (e) The Board may also designate certain days or classes within the curriculum as eligible for continuing education (CE) credit and may charge an appropriate fee (as a workshop) for administrators to attend on a space available basis.
- (f) The application fee and Administrator University fee prescribed by the Board at OAC 490:1-7-2 shall be submitted during the online application process prior to admission to Administrator University.
- (g) An applicant for licensure who successfully completes Administrator University (AU) will not have to repeat Administrator University if he is successfully licensed in Oklahoma as a long term care administrator within twenty-four (24) months after the completion of AU which is marked by the scheduled date of class for that particular class.
- (h) If applicant fails to become licensed/certified as an Oklahoma long term care administrator during this 24-month time frame, applicant will have to pay all applicable fees and repeat Administrator University prior to any future licensing/certification attempts.

**SUBCHAPTER 8. ADMINISTRATOR IN TRAINING (AIT) INTERNSHIP
PROGRAM FOR NURSING HOME ADMINISTRATORS AND CERTIFIED
ASSISTANT ADMINISTRATORS**

490:10-8-1. Training requirement [REVOKED]

490:10-8-2. Application

- (a) The applicant shall submit to the Board an application, which shall contain such information as name, education, employment history, information pertaining to moral character, any other information the Board requires, and an affidavit stating that the applicant, if granted a license, will obey the laws of the State and the rules of the Board, and will maintain the honor and dignity of the profession. The application for licensure and/or to attend AU meets this requirement.
- (b) To satisfy the Board's requirement for evidence verifying educational degree(s) conferred or hours of post-secondary education completed, the applicant shall meet the requirements found at OAC 490:10-3-1.1.
- (c) The applicant will be subjected to a criminal background check as described in this Chapter prior to beginning an AIT internship.
- (d) A fee as prescribed by the Board at OAC 490:1-7-2 shall be submitted with the application.
- (e) An applicant who successfully completes a Board-approved AIT internship will not have to repeat the internship if he is successfully licensed/certified as a long term care administrator/CAA in Oklahoma within the twenty-four (24) months following the month in which he first began his internship, and if applicant fails to secure licensure/certification within this 24-month time frame, applicant will have to pay all applicable fees and serve a new AIT internship prior to any future licensing/certification attempts.

490:10-8-3. Training permit

- (a) In order for a training permit to be issued, the facility or facilities at which the AIT internship is to be served must be:
 - (1) licensed by the Oklahoma State Department of Health as a long term care facility; and
 - (2) in substantial compliance with the rules and regulations governing licensure and operation of long term care facilities.
- (b) After approval of the proposed AIT internship, the Board shall issue an applicable AIT internship training permit to the applicant (the 'intern/trainee'), one that shall be valid for a maximum one-year time period beginning on the date the permit is issued.
- (c) Should the intern/trainee not maintain acceptable standards and submit the required reports, the Board shall place the intern/trainee on probation or may rescind the AIT internship training permit.

490:10-8-4. Preceptor selection

- (a) From a list of preceptors 'certified' by the Board, the intern/trainee may indicate his choice.
- (b) It shall be the responsibility of the Board to contact a preceptor to determine if the preceptor will accept the applicant.
- (c) Once a preceptor accepts an AIT intern/trainee, any subsequent changes must be approved by the Board.
- (d) The preceptor shall notify the Board of the date of acceptance and the date of any discontinuance of AIT internship.

490:10-8-5. Preceptor qualifications

- (a) A licensed administrator wishing to be certified as a preceptor for the AIT program shall apply online and pay the required fees.
- (b) To be certified as a preceptor, the applicant shall:
 - (1) exemplify the highest ethical and professional standards as an administrator for at least the preceding twenty-four (24) consecutive months;
 - (2) be licensed and be able to document employment as:
 - (A) an Oklahoma long term care administrator for at least twenty- four (24) months of the preceding sixty (60) months; OR
 - (B) an Oklahoma long term care administrator for at least twenty four (24) of the preceding sixty (60) months and supervising administrators in multiple locations wherein an AIT could be appropriately trained under his direct and/or indirect supervision, e.g., as a regional supervisor or operations officer with multiple homes; OR
 - (C) an Oklahoma long term care administrator for at least twenty- four (24) months of the preceding sixty (60) months currently serving as an assistant administrator in a Veterans Administration (ODVA) home (not the administrator of record);
 - (3) successfully complete preceptor training that meets the requirements established by the Board; and
 - (4) has not been the subject of any action by any Board or licensing authority which resulted in formal reprimand, suspension or revocation of license, within the preceding twenty-four (24) consecutive months;
 - (5) has not been the subject to any other action by any Board or licensing authority which resulted in a Board order prohibiting serving as a Preceptor.
- (c) If the Board imposes a disqualifying sanction against an administrator, such administrator may not be eligible to be certified as a preceptor for twenty-four (24) months from the date of the sanction, as specified in the sanction's final or agreed order.
- (d) Preceptors shall be certified for a period of thirty-six (36) months if active (who trained at least one trainee during the first twenty four (24) months of their preceptorship or twenty four (24) months if inactive). Preceptors may be re- certified at the discretion of the Board. There shall be an automatic extension of the certification period for any preceptor whose certification expires while overseeing an AIT intern/trainee, provided that the preceptor otherwise meets all other requirements for certification and those governing assignment of a preceptor to an AIT intern/trainee. The extension shall be granted to the end of the training period for the particular intern/trainee.

490:10-8-5.1. Preceptor designation/assignment to an AIT intern/trainee

In order to be designated/assigned as the preceptor for an AIT training program, a 'certified' preceptor must:

- (1) be either the full-time administrator-of-record of the facility at which the AIT intern/trainee would be completing his internship rotation, OR a licensed administrator and the direct supervisor of the administrators(s)-of-record at the facility(s) at which the AIT intern/trainee would be completing his internship rotation;
- (2) agree to give the intern/trainee an opportunity to observe and take part in the managerial tasks associated with the operation of a facility, acquaint the intern/trainee with the organization and operation of all the various departments of the facility by permitting his observation and/or participation in department activities subject to the training program approved by the Board;
- (3) hold regular meetings and/or discussions with the intern/trainee to discuss progress to date, consider refinements to hours spent in each module/domain of practice (in preparation for the NAB NHA exam), and interview him upon completion of the internship to mutually discuss noted strengths and weaknesses; and
- (4) upon satisfactory completion of the program, provide the Board a letter certifying the completion of the required internship hours.

490:10-8-6. Curriculum for nursing home administrator and certified assistant administrator (CAA) AITs

- (a) The preceptor, in conjunction with the AIT intern/trainee, will assess and evaluate the background, training and experience of the intern/trainee to determine specific areas of concentration within the domains of practice and departmental rotations.
- (b) The preceptor will submit to the Board, prior to or within the first week of an AIT internship, an individualized curriculum for the intern/trainee, one that meets the Board's AIT internship requirements. The Board requires that the training be carried out in modules as delineated in the training materials.

490:10-8-7. Module reports for nursing home administrator and certified assistant administrator (CAA) AITs

- (a) At the conclusion of each module of training, the preceptor will submit to the Board an evaluation of progress on a form approved by the Board for that purpose.
- (b) Module reports must be received in the Board's office within ten (10) working days of completion of the module.

490:10-8-8. Preceptor's final report

- (a) At the end of the approved AIT internship, the preceptor will submit a final report and an evaluation of the intern/trainee on the form(s) and in the manner as prescribed by the Board. The preceptor will sign the form(s). The form(s) will indicate whether

or not the intern/trainee has satisfactorily completed the prescribed internship program.

- (b) The reports will be filed in the intern/trainee's record and will become a permanent part of the record in the individual's file.
- (c) Preceptors for nursing home AIT candidates shall be awarded 3 CEUs per each 560 hour trainee completed or 4 CEUs per each 700 hour trainee completed (awarded in the year the training was completed) and may earn up to 12 CEUs in this manner per calendar year (credited for a maximum of 3 students in any one calendar year).
- (d) CEU credit is awarded for the year the training was completed.

490:10-8-9. Preceptor's checklist

- (a) The preceptor will maintain a current program completion checklist in the facility on the intern/trainee on a form approved by the Board to be reviewed by the Board upon request.
- (b) The program completion checklist shall be submitted to the Board along with the final report and evaluation.

490:10-8-10. Change of status and discontinuance

- (a) If the intern/trainee wishes to change to another preceptor, or discontinues the training, the intern/trainee must notify the Board prior to making this change.
- (b) The notification requires the name of the intern/trainee and preceptor, the change requested, the effective date, reasons for the change, and any other information that the Board may request. Either the intern/trainee or the preceptor must sign the notification.
- (c) If a substandard quality of care finding in a facility is upheld against an administrator who is a certified preceptor working with an intern/trainee, the Board shall evaluate the situation and determine if there is a need to assist the intern/trainee in finding a new preceptor and may, at its sole discretion, direct that a new preceptor be assigned to the AIT.

490:10-8-11. Dismissal from program

- (a) The preceptor will inform the intern/trainee of his performance as the program progresses.
- (b) If the intern's/trainee's performance is not acceptable, the preceptor will so inform him, and the intern/trainee will be given an opportunity to correct the deficiencies.
- (c) If the intern/trainee does not correct the deficiencies, the preceptor will notify Board staff of the same, and a member of the Board's staff will notify the intern/trainee that he will be dismissed from the program.
- (d) If the intern/trainee violates any of the Board's rules or regulations, or if the intern/trainee violates any of the policies or procedures of the facility(ies) at which he is serving his AIT training, the preceptor or authorized representatives of the facility(ies) will notify the Board's staff of the same, and the Board staff will notify the intern/trainee that he can no longer participate in the program.

- (e) The intern/trainee may appeal dismissal from the program by petitioning the full Board for a formal hearing.

490:10-8-12. Compensation of AIT Interns/Trainees

The facility or facilities in which the intern/trainee is training may compensate the intern/trainee, but is/are not required to do so.

490:10-8-13. AIT time on the job

- (a) The intern/trainee with a degree in a field related to any of the NAB defined domains of practice, OR with experience in long term care for 2 of the last 5 years shall serve a 560 hour internship, unless in the opinion of the Board or preceptor, the intern/trainee requires additional hours of training; or unless the hours required to complete the internship, are otherwise reduced by formal action of the Board. All others (with a degree not related to a NAB defined domain of practice or without experience in long term care for 2 of the last 5 years) shall serve a minimum of a 700 hour internship with the same exceptions noted wherein additional hours are required in the opinion of the Board or preceptor.
- (b) An internship that has been discontinued due to a period of active duty military service of the intern/trainee shall be allowed to be completed within one (1) year after the intern/trainee has completed his military service obligation. If this time frame cannot be met by the intern/trainee, the previously-started internship shall be cancelled by the Board and he will have to reapply to the Board for a new internship and pay all applicable fees. If an internship has been discontinued due to active duty military service of the preceptor, the Board will work with the intern/trainee to secure another preceptor.
- (c) An internship that has been discontinued for any purpose other than military service, and such discontinuance exceeds one year from the date of the beginning of the discontinuance, that internship will be cancelled by the Board, and the AIT intern/trainee shall be required to reapply to the Board for a new internship and pay all applicable fees.
- (d) Only one discontinuance is allowed.
- (e) 560 hour internships shall be completed in not less than fourteen (14) consecutive weeks nor more than twelve (12) consecutive months. 700 hour internships shall be completed in not less than seventeen and a half (17.5) consecutive weeks nor more than fifteen (15) consecutive months (where no more than 40 hours in any one week of the program is ever permitted).
- (f) This section shall be subject to the requirements of any other provisions of law.
- (g) The intern/trainee must complete the internship in a facility or facilities that is (are) licensed in Oklahoma for the level of care equivalent to the administrators license/certification being sought.

490:10-8-14. AIT Internship exempt status

The Board, in its sole discretion, may waive the AIT internship requirement entirely, or portions thereof, for those applicants who show evidence of successful completion of a formal internship program that meets or exceeds Board requirements, such as in another state or in a NAB

accredited long term care degree program.

490:10-8-15. Admission to national and state exams [AMENDED AND RENUMBERED TO 490:10-3-4]

490:10-8-16. Refusal to approve or renew preceptor or intern assignment

The Board may, at its sole discretion, refuse to approve or renew a preceptor certification or may refuse to approve an assignment of an intern/trainee to a preceptor.

490:10-8-17. Supervision of AIT interns/trainees

A preceptor shall not concurrently supervise more than two (2) AIT interns/trainees unless otherwise approved by the Board.

SUBCHAPTER 9. LICENSE STATUS [REVOKED]

490:10-9-1. License status [REVOKED]

490:10-9-2. Reinstatement [REVOKED]

SUBCHAPTER 10. FEE SCHEDULE [REVOKED] 490:10-10-1. Fee Schedule [REVOKED]

SUBCHAPTER 13. STANDARDS FOR ADMINISTRATORS

490:10-13-1. Administrator Code of Ethics

- (a) The Board is committed to ethical professional conduct and therefore adopts the following standards to establish and maintain a high degree of integrity and dignity in the profession and to protect the public against unprofessional conduct on the part of long term care administrators. All long term care administrators and AITs shall be encouraged to participate in their professional association, the American College of Health Care Administrators (ACHCA and often referred to as "the college") as a means of continually improving themselves as long term care professionals and another source for CEUs.
- (b) The American College of Health Care Administrators Code of Ethics is adopted as follows:
- (1) Preamble: The preservation of the highest standards of integrity and ethical principles is vital to the successful discharge of the professional responsibilities of all long-term health care administrators. This Code of Ethics has been promulgated by the American College of Health Care Administrators (ACHCA) in an effort to stress the fundamental rules considered essential to this basic purpose. It shall be the obligation of members to seek to avoid not only conduct specifically proscribed by the code, but also conduct that is inconsistent with its spirit and purpose. Failure to specify any particular responsibility or practice in this Code of Ethics should not be construed as denial of the existence of other responsibilities or practices. Recognizing that the ultimate responsibility for applying standards and ethics falls upon the individual, the ACHCA establishes the following Code of Ethics to make clear its expectation of the membership.
 - (2) Expectation I: Individuals shall hold paramount the welfare of persons for whom care is provided.
 - (A) Prescriptions: The Health Care Administrator shall:
 - (i) Strive to provide to all those entrusted to his or her care the highest quality of appropriate services possible in light of resources or other constraints.
 - (ii) Operate the facility consistent with laws, regulations, and standards of practice recognized in the field of health care administration.
 - (iii) Consistent with law and professional standards, protect the confidentiality of information regarding individual recipients of care.
 - (iv) Perform administrative duties with the personal integrity that will earn the confidence, trust, and respect of the general public.
 - (v) Take appropriate steps to avoid discrimination on the basis of race, color, religion, sex, pregnancy, sexual orientation, citizenship status, national origin, age, physical or mental disability, past, present or future status in the U.S. uniformed services, genetics, or any other characteristic protected under applicable law.
 - (B) Proscription: The Health Care Administrator shall not: Disclose professional or personal information regarding recipients of service to unauthorized personnel unless required by law or to protect the public welfare.
 - (3) Expectation II: Individuals shall maintain high standards of professional competence.
 - (A) Prescriptions: The Health Care Administrator shall:
 - (i) Possess and maintain the competencies necessary to effectively perform his or her responsibilities.

- (ii) Practice administration in accordance with capabilities and proficiencies and, when appropriate, seek counsel from qualified others.
 - (iii) Actively strive to enhance knowledge of and expertise in long-term care administration through continuing education and professional development.
 - (iv) Demonstrate conduct that is in the best interest of the profession.
- (B) Proscriptions: The Health Care Administrator shall not:
 - (i) Misrepresent qualifications, education, experience, or affiliations.
 - (ii) Provide services other than those for which he or she is prepared and qualified to perform.
 - (iii) Conduct themselves in a manner detrimental to the best interest of the profession.
- (4) Expectation III: Individuals shall strive, in all matters relating to their professional functions, to maintain a professional posture that places paramount the interests of the facility and its residents.
 - (A) Prescriptions: The Health Care Administrator shall:
 - (i) Avoid partisanship and provide a forum for the fair resolution of any disputes which may arise in service delivery or facility management.
 - (ii) Disclose to the governing body or other authority as may be appropriate, any actual or potential circumstance concerning him or her that might reasonably be thought to create a conflict of interest or have a substantial adverse impact on the facility or its residents.
 - (B) Proscriptions: The Health Care Administrator shall not: Participate in activities that reasonably may be thought to create a conflict of interest or have the potential to have a substantial adverse impact on the facility or its residents.
- (5) Expectation IV: Individuals shall honor their responsibilities to the public, their profession, and their relationships with colleagues and members of related professions.
 - (A) Prescriptions: The Health Care Administrator shall:
 - (i) Foster increased knowledge within the profession of health care administration and support research efforts toward this end.
 - (ii) Participate with others in the community to plan for and provide a full range of health care services.
 - (iii) Share areas of expertise with colleagues, students, and the general public to increase awareness and promote understanding of health care in general and the profession in particular.
 - (iv) Inform the ACHCA Standards and Ethics Committee of actual or potential violations of this Code of Ethics, and fully cooperate with the ACHCA's sanctioned inquiries into matters of professional conduct related to this Code of Ethics.
 - (B) Proscription: The Health Care Administrator shall not: Defend, support, or ignore unethical conduct perpetrated by colleagues, peers or students.
- (c) The Board adopts the following as an addition to the code of ethics: Administrators have a fiduciary duty to the facility and cannot serve as guardian of the person or of the estate, or hold a durable power of attorney or power of attorney for any resident of a facility of which they are an administrator.

- (d) Licensees shall place a copy of the Administrator Code of Ethics approved by the Board in a conspicuous location in a public area in the place of business requiring such license.

490:10-13-2. Administrator responsibilities

- (a) It is the responsibility of the long term care administrator, as the managing officer of the facility to plan, organize, direct, and control the day-to-day functions of a facility and to maintain the facility's compliance with applicable laws, rules, and regulations. The administrator shall be vested with adequate authority to comply with the laws, rules, and regulations relating to the management of the facility.
- (b) Long term care administrators licensed/certified by the Board shall adhere to the Administrator Code of Ethics as adopted by the Board.
- (c) Nursing home administrators licensed by the Board shall not concurrently serve as the administrator-of-record (AOR) of more than one long term care facility except as otherwise permitted in this Chapter. A licensed nursing home administrator may serve as the administrator of more than one intermediate care facility for the mentally retarded with sixteen or fewer beds (ICF/MR-16), only if such facilities are located within a circle that has a radius of not more than fifteen (15) miles, and the total number of facilities and beds does not exceed the lesser of six (6) facilities or total licensed capacity of sixty-four (64) beds.
 - (1) An NHA may not concurrently serve as AOR of more than one long term care facility except where authorized in statute and this chapter. Exceptions are discussed at OAC 490: 10-13-2(c) as it relates to ICF/MR- 16; OAC 490:10-13-2(d) as it relates to Assisted Living facilities; OAC 490:10-13-2(e) as it relates to an NHA concurrently serving as AOR of a SNF/NF and another facility which includes an Assisted Living Facility, a Residential Care Facility and/or an Adult Day Care Facility; and OAC 490:10- 13-3 as it relates to the use of a CAA).
 - (2) An NHA may not concurrently serve as the Director of Nursing (DON) of a facility while serving as the AOR of a nursing facility.
 - (3) When functioning under one of these exceptions, the requirement to designate a person in the facility to act on the AOR's behalf during their absence must be strictly adhered to (see OAC 310, Chapter 675, paragraph (a) for this requirement).
- (d) NHA and RCAL Administrators are limited to serving concurrently as AOR of two (2) Assisted Living Facilities with the requirement that the facilities are within sixty (60) miles of each other and have less than one hundred and thirty (130) occupied beds.
- (e) An NHA may concurrently serve as the AOR of a SNF/NF and one other facility (Assisted Living, Residential Care or Adult Day Care) provided that the two facilities have the same owner, the facilities are within 15 miles, and the number of occupied beds (or occupied beds and participants) does not exceed 130.
- (f) Every person licensed/certified as an administrator and designated the "Administrator-of-Record" (AOR) shall display the appropriate "Certificate of" or "License" in a conspicuous place in the facility or place of business requiring such license/certification. Certified Assistant Administrators (CAAs), where utilized in this capacity, shall display their certification.
- (g) Each licensed/certified administrator shall update their licensure record, online, within fifteen (15) calendar days following the change of his name, business and/or personal mailing address, change in employment or change in employment status, online in the manner as prescribed or as may be prescribed by the Board. The Board will assess a late fee as

prescribed at OAC 490:1-7-2 if it is determined that the administrator failed to provide current contact information within this fifteen day period.

- (h) Upon receipt of satisfactory evidence that "Certificate" or "License" has been lost, mutilated, or destroyed, the Board may issue a duplicate replacement license upon payment of a fee as prescribed by the Board at OAC 490:1-7-2.
- (i) To change his name on a "Certificate of License", the licensee must provide legal proof of the name change (e.g., copy of marriage certificate, divorce decree, etc.) before a replacement "Certificate of License" will be issued upon payment of a fee as prescribed by the Board at OAC 490:1-7-2.
- (j) An administrator shall not knowingly initiate contact with an individual currently residing in a long term care facility, or knowingly initiate contact with the family or guardian of an individual currently residing in a long term care facility ,for the purpose of attempting to persuade a change in that individual's residence to another long term care facility.
- (k) An administrator shall not knowingly solicit, or permit an employee to solicit clients for his long term care facility through coercion or harassment. If an administrator has knowledge of such actions by an employee, the administrator shall take such steps as are reasonable and necessary to stop such conduct.
- (l) An Administrator, or applicant for Administrator licensure/certification, in connection with a license/certificate application or an investigation conducted by the Board or an investigation conducted by the Oklahoma State Department of Health, the Oklahoma Department of Human Services, the Oklahoma Health Care Authority, or any other agency of the State or federal government having regulatory responsibility over or relating to the delivery of care to persons in a facility operated or managed by the Administrator, shall not:
 - (1) knowingly make a false statement of material fact;
 - (2) fail to disclose a fact necessary to correct a misrepresentation known by the Administrator or applicant for licensure/certification to have arisen in the application or the matter under investigation; or
 - (3) fail to respond to a demand for information made by the Board or such government agency or any designated representative thereof.
- (m) To enable CEU attribution and uploads by NAB approved CEU providers, all administrators and CAAs will register with the NAB CE Registry.

490:10-13-3. Requirements for administrators who serve as the Administrator- of-Record of two (2) or more licensed long term care (nursing) facilities employing Certified Assistant Administrators

- (a) The Administrator-of-Record is responsible for ensuring that all minimum requirements delineated herein and in the Nursing Home Care Act (see Title 63, Section 1-1943.1) relating to individuals who wish to serve in the capacity of Certified Assistant Administrator (CAA) are met prior to the delegation of duties and responsibilities to such individual.
- (b) The Administrator-of-Record shall provide qualified individuals serving as a CAA with adequate authority and responsibility to administer those aspects of the operations of the facility that are to be delegated to them, including the authority to act in an emergency.
- (c) The Administrator-of-Record shall clearly, and in writing, develop a formal job description for the position of CAA, wherein the duties and responsibilities of the individual serving as a CAA are clearly delineated.

- (d) The Administrator-of-Record shall provide supervision, training and direction to the CAA and delegate only those duties and responsibilities that may safely be performed by the individual filling that role and that are not otherwise proscribed by law, rule or statute.
- (e) The Administrator-of-Record, being licensed by the Board, is legally and ultimately responsible for the management and operation of the facility and, as such, shall maintain sufficient on-site presence in the facility to effectively supervise the CAA.
- (f) The Administrator-of-Record shall ensure the CAA does not concurrently serve as CAA of more than one (1) long term care facility.
- (g) The Administrator-of-Record shall spend at least ten (10) hours per calendar week on-site in the facility, providing guidance and direction to the CAA, and further, such on-site supervisory visits shall not be more than ten (10) calendar days apart.
- (h) The Administrator-of-Record shall establish a clearly-written policy delineating who the individual residents, residents' family members and/or guardians, and facility staff should contact when the Administrator-of-Record is absent from the facility as well as the procedure that is to be utilized that clearly indicates 'when' and 'how' such contact shall be made. The policy and procedure shall be provided to residents, residents' family and/or guardians, and facility staff and shall be posted in a conspicuous place in the facility.
- (i) The Administrator-of-Record shall not delegate nor cause to be delegated to the CAA any duty or responsibility that has been specified in State or federal law, statute, rule or regulation as being a duty or responsibility that can only be performed by a duly licensed Administrator or any duty or responsibility that is otherwise prohibited by State or federal law, statute, rule or regulation.
- (j) The Administrator-of-Record shall ensure that no individual serve as the CAA if that individual holds a license granted by this Board, but which license is suspended, revoked or otherwise restricted, or if that individual has been sanctioned (formally excluded from participation in federally-funded health programs) by the U.S. Department of Health and Human Services (DHHS), Office of Inspector General (OIG).
- (k) The Administrator-of-record shall ensure that no individual serves as a CAA if the facility at which the Assistant Administrator is to serve is not one of two-or- more facilities at which the Administrator serves as the Administrator-of-Record, that have a total bed complement not to exceed one-hundred-twenty (120) occupied beds and that are located with a fifty (50) mile radius of each other.
- (l) The Administrator-of-Record shall establish a requirement for the certified assistant administrator to successfully complete no less than twenty-four (24) continuing education clock hours during each licensure period as a condition of employment and shall be responsible to ensure the certified assistant administrator(s) working under their license has renewed their certification with the Board by the end of each licensure period.