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**VIRTUAL/TELECONFERENCE**  
**NURSING HOME ADMINISTRATOR EXAMINING BOARD**  
**Virtual, 4822 Madison Yards Way, Madison, WI**  
**Contact: Tom Ryan (608) 266-2112**  
**April 7, 2023**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.*

**AGENDA**

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of August 18, 2022 (5-6)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff, and Board Updates
  - 2) 2023 Meeting Dates **(7)**
  - 3) Annual Policy Review **(8-11)**
  - 4) Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities **(12-20)**
  - 5) Board Member – Term Expiration Dates
    - a. Bristol, Echo E. – 7/1/2025
    - b. Kaiser, Elizabeth A. – 7/1/2023
    - c. Larson, David L. – 7/1/2023
    - d. Lynch-deCombhs, Diane C. – 7/1/2024
    - e. Radtke, Jessica – DHS Representative
    - f. Shaughnessy, Patrick M. – 7/1/2023
    - g. Williams, Jason L. – 7/1/2026
- F. Education and Examination Matters – Discussion and Consideration**
  - 1) Review of NHA Program Requirements as Outlined in the Wisconsin Administrative Code NHA 1.02 and NHA 3.01 **(21)**
  - 2) Public Agenda Request: NHA Licensure – Approval of New Specialized Courses **(22)**
- G. Legislative and Policy Matters – Discussion and Consideration

**H. Administrative Rule Matters – Discussion and Consideration (23)**

- 1) Preliminary Rule Draft: NHA 3, Relating to Board Approval of Education Programs **(24-30)**
- 2) Pending and Possible Rulemaking Projects

**I. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration**

- 1) Travel Report: National Association of Long-Term Care Administrator Boards (NAB) 2022 Mid-Year Meeting – November 2-4, 2022 – Palm Springs, CA – David Larson
- 2) Consideration of Attendance: National Association of Long-Term Care Administrator Boards (NAB) Annual Meeting – June 14-16, 2023 – Columbus, Ohio

**J. National Association of Long-Term Care Administrator Boards (NAB) Matters – Discussion and Consideration**

**K. Deliberation on Items Added After Preparation of Agenda**

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Administrative Matters
- 4) Election of Officers
- 5) Appointment of Liaisons and Alternates
- 6) Delegation of Authorities
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Matters
- 10) Legislative and Policy Matters
- 11) Administrative Rule Matters
- 12) Public Health Emergencies
- 13) Liaison Reports
- 14) Board Liaison Training and Appointment of Mentors
- 15) Informational Items
- 16) Division of Legal Services and Compliance (DLSC) Matters
- 17) Presentations of Petitions for Summary Suspension
- 18) Petitions for Designation of Hearing Examiner
- 19) Presentation of Stipulations, Final Decisions and Orders
- 20) Presentation of Proposed Final Decisions and Orders
- 21) Presentation of Interim Orders
- 22) Petitions for Re-Hearing
- 23) Petitions for Assessments
- 24) Petitions to Vacate Orders
- 25) Requests for Disciplinary Proceeding Presentations
- 26) Motions
- 27) Petitions
- 28) Appearances from Requests Received or Renewed
- 29) Speaking Engagements, Travel, or Public Relation Requests, and Reports

**L. Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

**M. Deliberation on Division of Legal Services and Compliance Matters**

- 1) **Administrative Warning**
  - a. 22 NHA 012 – K.S.K. **(31-32)**
- 2) **Case Closings**
  - a. 21 NHA 005 – A.C.Z. **(33-40)**
  - b. 22 NHA 039 – K.K.S. **(41-47)**
- 3) **Proposed Stipulations and Final Decision and Orders**
  - a. 19 NHA 028 – Pete N. Eide, NHA **(48-55)**
  - b. 21 NHA 066 – Jennifer L. Vosen, NHA **(56-63)**

**N. Deliberation of Items Added After Preparation of the Agenda**

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

**O. Consulting with Legal Counsel**

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**P. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate**

**Q. Open Session Items Noticed Above Not Completed in the Initial Open Session**

**ADJOURNMENT**

**NEXT MEETING: MAY 25, 2023**

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**MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.**

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or the Meeting Staff at 608-267-7213.

**VIRTUAL/TELECONFERENCE  
NURSING HOME ADMINISTRATOR EXAMINING BOARD  
MEETING MINUTES  
AUGUST 18, 2022**

**PRESENT:** Echo Bristol, Elizabeth Kaiser, David Larson, Diane Lynch-deCombhs, Jessica Radtke, Patrick Shaughnessy, Jason Williams

**STAFF:** Tom Ryan, Executive Director; Joseph Ricker, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Katlin Schwartz, Bureau Assistant; Kimberly Wood, Program Assistant Supervisor-Adv.; and other Department Staff

**CALL TO ORDER**

David Larson, Chairperson, called the meeting to order at 9:33 a.m. A quorum was confirmed with seven (7) members present.

**ADOPTION OF AGENDA**

**MOTION:** Patrick Shaughnessy moved, seconded by Jason Williams, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF MAY 26, 2022**

**Amendments to the Minutes:**

- Page 1 of the minutes: Change 2021 to 2022

**MOTION:** Jason Williams moved, seconded by Diane Lynch-deCombhs, to approve the Minutes of May 26, 2022 as amended. Motion carried unanimously.

**SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS, AND  
REPORTS**

**Consideration of Attendance: National Association of Long-Term Care Administrator Boards (NAB) 2022 Mid-Year Meeting – November 2-4, 2022 – Palm Springs, CA**

**MOTION:** David Larson moved, seconded by Echo Bristol, to designate David Larson, as the Board's delegate, and Diane Lynch-deCombhs as the Board's alternate delegate, to attend the National Association of Long-Term Care Administrator Boards (NAB) 2022 Mid-Year Meeting on November 2-4, 2022 in Palm Springs, CA. Motion carried unanimously.

## CLOSED SESSION

**MOTION:** Patrick Shaughnessy moved, seconded by Echo Bristol, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). David Larson, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Echo Bristol-yes; Elizabeth Kaiser-yes; David Larson-yes; Diane Lynch-deCombhs-yes; Jessica Radtke-yes; Patrick Shaughnessy-yes; and Jason Williams-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:56 a.m.

### DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

#### Administrative Warnings

#### *21 NHA 004 – P.M.R.*

**MOTION:** David Larson moved, seconded by Diane Lynch-deCombhs, to issue an Administrative Warning in the matter of P.M.R., DLSC Case Number 21 NHA 004. Motion carried unanimously.

### RECONVENE TO OPEN SESSION

**MOTION:** Echo Bristol moved, seconded by Jason Williams, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 9:58 a.m.

### VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

**MOTION:** Diane Lynch-deCombhs moved, seconded by Echo Bristol, to affirm all motions made and votes taken in closed session. Motion carried unanimously.

### ADJOURNMENT

**MOTION:** Diane Lynch-deCombhs moved, seconded by David Larson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:00 a.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Katlin Schwartz, Bureau Assistant		2) Date when request submitted: 3/13/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Nursing Home Administrators Examining Board			
4) Meeting Date: 3/23/2023	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? 2023 Meeting Dates	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed:  The Board will review and potentially make a motion to approve the follow 2023 meeting dates:  a. Thursday, March 23, 2023 – Virtual b. Thursday, May 25, 2023 – Virtual c. Thursday, August 17, 2023 – Virtual d. Thursday, November 30, 2023 - Virtual			
11) Authorization			
<i>Katlin Schwartz</i>		3/13/2023	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Katlin Schwartz, Bureau Assistant on behalf of Division of Policy Development Executive Directors		<b>2) Date when request submitted:</b> 12/14/2022 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b> All Boards			
<b>4) Meeting Date: First Meeting of 2023</b>	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Annual Policy Review	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if applicable:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b> Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> <li>1. <b>In-Person Meeting Policy:</b> Depending on the frequency of Board meetings, a Board may be allowed a certain number of in-person meetings.                         <ul style="list-style-type: none"> <li>• 4-5 Meetings per year = 1 in-person opportunity</li> <li>• 6-8 Meetings per year = 2 in-person opportunities</li> <li>• 12 Meetings per year = 4 in-person opportunities</li> </ul> </li> <li>2. <b>Attendance/Quorum:</b> Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting or if you have scheduling conflicts impacting your attendance, please let us know ASAP. Timely notification is appreciated as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law.</li> <li>3. <b>Walking Quorum:</b> Board/Section/Council members must not collectively discuss the body's business outside of a properly noticed meeting. Should several members of a body do so, the members could be violating the open meetings law.</li> <li>4. <b>Mandatory Training:</b> All Board Members must complete their annual Public Records and Ethics Trainings, if not complete, the training will be done at the next meeting.</li> <li>5. <b>Agenda Deadlines:</b> Please communicate agenda topics to your Executive Director before the agenda submission deadline which is at 12:00 pm, 8 business days prior to a meeting. (Attachment: Timeline of a Meeting)</li> <li>6. <b>Travel Voucher and Per Diem Submissions:</b> Please submit all Per Diem and Reimbursement claims to DSPS within 30 days of the close of each month in which expenses are incurred. (Attachments: Per Diem Example, Travel Voucher Example)</li> <li>7. <b>Lodging Accommodations/Hotel Cancellation Policy:</b> Lodging accommodations are available to eligible members. Standard eligibility: member must leave home before 6:00 a.m. to attend a meeting by the scheduled start time.                         <ul style="list-style-type: none"> <li>• If a member cannot attend a meeting it is their responsibility to cancel their reservation within the applicable cancellation timeframe. If a meeting is changed to occur remotely or is cancelled or rescheduled DSPS staff will cancel or modify reservations as appropriate.</li> </ul> </li> <li>8. <b>Inclement Weather Policy:</b> In the event of inclement weather the agency may change a meeting from an in-person venue to one that is executive remotely.</li> </ol>			
<b>11) Authorization</b>			
Katlin Schwartz		12/14/2022	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
<b>Directions for including supporting documents:</b> <ol style="list-style-type: none"> <li>1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</li> <li>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>			



## Timeline of a Meeting

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**8 business days prior to the meeting:** All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

**7 business days prior to the meeting:** The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

**5 business days prior to the meeting:** The approved agenda is returned to the Bureau Assistant for agenda packet production and compilation.

**4 business days prior to the meeting:** Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

### Agenda Item Examples:

- Approval of the Agenda and Minutes (from the last meeting)
- Open Session Items
  - Public Hearings (on Admin Rules)
  - Administrative Matters
  - Legislation and Policy Matters
  - Administrative Rules Matters
  - Credentialing Matters
  - Education and Exam Issues
  - Public Agenda Requests
  - Current Issues Affecting the Profession
  - Public Comments
- Closed Session items
  - Deliberations on Proposed Disciplinary Actions
    - Stipulations
    - Administrative Warnings
    - Case Closings
    - Monitoring Matters
    - Professional Assistance Procedure (PAP) Issues
  - Proposed Final Decisions and Orders
  - Orders Fixing Costs/Matters Relating to Costs
  - Credentialing Matters
  - Education and Exam Issues

**Thursday of the Week Prior to the Meeting:** Agendas are published for public notice on the Public Notices and Meeting Minutes website: [publicmeetings.wi.gov](http://publicmeetings.wi.gov).

**1 business day after the Meeting:** "Action" lists are distributed by staff detailing board actions on closed session business.

**5 business days after the Meeting:** "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the the Public Notices and Meeting Minutes website: [publicmeetings.wi.gov](http://publicmeetings.wi.gov).

# Department of Safety and Professional Services

## PER DIEM REPORT

**INSTRUCTIONS:** Claimant records board-related activities by entering the date of an activity, the duration of time spent in that activity, the relevant purpose code (see purpose code descriptions below), where the activity is conducted, and the type of activity performed. Only one (1) \$25.00 per diem payment can be issued on any given calendar day.

**Purpose Codes:**

- A. Official meetings including video/teleconference calls** (automatic day of per diem): i.e., board, committee, board training or screening panels; **Hearings**, i.e., Senate Confirmation, legislative, disciplinary or informal settlement conferences; **Examinations and Test Development Sessions**, i.e., test administration, test review or analysis events, national testing events, tour of test facilities, etc.)
- B. Other** (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations

NAME OF EXAMINING BOARD OR COUNCIL <b>EXAMPLE EXAMINING BOARD</b>			BOARD OR COUNCIL MEMBER'S NAME <b>MARY SUNSHINE</b>	
Activity Date MM/DD/YY	Duration of Activity Hours/Minutes	Purpose Code A or B	Where Performed City/Location (Home, Work, DSPS)	Activity Describe Activity Performed (see purpose codes)
12/2/20	2 hrs	B	Pleasant Prairie/Home	Review of screening panel materials
12/3/20	2 hr / 30 mins	B	Pleasant Prairie/Home	Review of screening panel materials
12/10/20	1 hr	A	Pleasant Prairie/Home	Screening Panel Meeting - Teleconference
12/12/20	1 hr / 30 mins	B	Pleasant Prairie/Home	Case consultation
12/13/20	1 hr	B	Pleasant Prairie/Home	Liaison: Application Review
12/16/20	6 hrs	A	Madison/DSPS	Board Member Training
				<p><b>The 5-hour rule applies to "B" code activities. Add the 'B' codes within the calendar month and then divide by five (5) hours to calculate your per diem payment. In this case the total is seven (7) hours which equals one (1) day of per diem.</b></p> <p><b>Each 'A' code is an automatic day of per diem regardless of time spent in that activity. Ms. Sunshine is eligible for two (2) additional days of payment.</b></p> <p><b>Department staff completes the fields titled "Total Days Claimed".</b></p>
<b>CLAIMANT'S CERTIFICATION</b>			Comments:	
The undersigned certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law.				
<i>Mary Sunshine</i>		1/4/2021		
Claimant's Signature	Date	Supervisor	Date	

EMPL ID: 100012345-0

To be completed by Department staff: **TOTAL DAYS CLAIMED: 3 @ \$25.00 = 75.00**

Travel Voucher

Staple Receipts Face Up On Backside

For Agency Use Only

<b>Safety &amp; Professional Services</b>													
Department/ Division		Example Examining Board			Emp ID	100012345			Z				
State Officer/Employee Name		Mary Sunshine			Address	2424 Happy Road							
Mo/Yr		From/To:			City	Pleasant Prairie	State	WI	Zip-Code	53158			
FY	FUND	BUSINESS UNIT	DEPART	APPR CLASS	OBJECT	PROJECT			BALANCE SHEET ACCT	REPORTING CATEGORY	PROJECT NUMBER	AMOUNT	
												DEBIT	CREDIT
2021	10000	16500	1651300200	12100	7340000	16500P1<BRD ID>							
				12800		16500P2<TRD ID>							
				22100									
<b>TOTALS</b>													

Official Business		Travel Points		HDQS-TIME		Personal Vehicle	Lodging	Meals, including tips			Other Allowable Expenses		Total Allowable Expenses	
Date	Purpose of Trip	From	To	Depart	Return	Miles		Morning	Noon	Evening	Item	Amount	Taxable	Non-Taxable
Use	Board Meeting	Home base	Madison	Report times you left		Miles	P-card	\$8.00	\$10.00	\$20.00			Report	Report
separate		Madison	Home base	and returned home if		must be		Maximum in-state amounts					meal cost	meal cost
lines for	You must identify			meals are claimed		split.	Enter		or				here if there	here if there
each leg	the purpose of					Cannot	"P-card"	\$10.00	\$15.00	\$25.00			is <b>NO</b>	<b>IS</b> an
of your	your trip.					place	when hotel	Maximum out-of-state amounts					overnight	overnight
trip.						roundtrip	is provided						stay.	stay.
						total on	by DSPS	Must leave	Must leave	Must return				
						one line.		home	home	home after				
								before	before	7:00 p.m.				
								6:00 a.m.	10:30 a.m.					
									and return					
									home after					
									2:30 p.m.					

**LEGEND:** Staff can fill in these areas.  
 Board Member **MUST** fill in these areas

\*Item billed directly to the state agency

<b>Sub-Totals</b>													
					<b>Mileage Costs</b>								
		<b>Miles at</b>	<b>0.510 cents/mile</b>			<b>Totals</b>							
					<b>Total Expenditure</b>								
					<b>Less Travel Advance</b>								
					<b>Net Amount Due</b>								

**Claimant's Statement § 16.53 Wisconsin Statutes**

I declare, under penalties, that all claimed travel expenses are true and correct and are in conformity with Wisconsin statute § 16.53 and related agreements. This claim represents reasonable and actual expenses necessarily incurred by me personally in the performance of official duties and no portion was previously reimbursed to me by the State or any other source.

Date \_\_\_\_\_ Claimant's Signature \_\_\_\_\_

I certify that this travel claim is reasonable, proper, and in conformity with applicable statutes, travel schedule amounts, and/or collective bargaining agreements.

I certify that all expenses on this voucher conform to statutory, departmental or applicable collective bargaining provisions, and were necessary in the official performance of duties required by the State. Expenditures are determined to be reasonable and proper, and that sufficient funds are available to pay this claim.

Agency Head or Authorized Representative \_\_\_\_\_

Date \_\_\_\_\_ Supervisor's Signature \_\_\_\_\_

Audited in accordance with S. 16.53 Wisconsin Statutes and allowed by the provisions of chapter 20.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: <b>Katlin Schwartz, Bureau Assistant</b>		2) Date when request submitted: <b>3/13/2023</b> <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: <b>Nursing Home Administrators Examining Board</b>			
4) Meeting Date: <b>2/23/2023</b>	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Administrative Matters</b> <ul style="list-style-type: none"> <li>• Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities</li> </ul>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: <b>N/A</b>	
10) Describe the issue and action that should be addressed: <ol style="list-style-type: none"> <li>1) The Board, Council or Section should conduct Election Officers: Chairperson, Vice Chairperson &amp; Secretary</li> <li>2) The newly elected Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate</li> <li>3) The Board should review and then consider its existing delegated authorities including any modification of these delegations and any proposals for additional delegations.             <ol style="list-style-type: none"> <li>a. Credentialing Delegations</li> <li>b. Monitoring Delegations</li> <li>c. Pre-Screening Delegations</li> </ol> </li> </ol>			
11) <span style="float: right;">Authorization</span> <hr/> <div style="display: flex; justify-content: space-between;"> <span><i>Katlin Schwartz</i></span> <span><i>3/13/2023</i></span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Signature of person making this request</span> <span>Date</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Supervisor (Only required for post agenda deadline items)</span> <span>Date</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Executive Director signature (Indicates approval for post agenda deadline items)</span> <span>Date</span> </div>			
Directions for including supporting documents: <ol style="list-style-type: none"> <li>1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</li> <li>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>			

# Nursing Home Administrators Examining Board 2022

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ELECTION RESULTS	
<b>Chairperson</b>	David Larson
<b>Vice Chairperson</b>	Diane Lynch-deCombhs
<b>Secretary</b>	Echo Bristol

## Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
<b>Credentialing Liaison(s)</b>	Patrick Shaughnessy <i>Alternate: David Larson</i>
<b>Education and Examinations Liaison</b>	Diane Lynch-deCombhs
<b>Monitoring Liaison</b>	Patrick Shaughnessy
<b>Professional Assistance Procedure (PAP) Liaison</b>	David Larson
<b>Legislative Liaison</b>	Jessica Radtke <i>Alternate: Elizabeth Kaiser</i>
<b>Travel Authorization Liaison</b>	David Larson <i>Alternate: Elizabeth Kaiser</i>
<b>Website Liaison</b>	Elizabeth Kaiser <i>Alternate: Jessica Radtke</i>
<b>Screening Panel</b>	Patrick Shaughnessy, David Larson <i>Alternate: Echo Bristol</i>

## Delegation of Authorities

### *Document Signature Delegations*

**MOTION:** Patrick Shaughnessy moved, seconded by Jason Williams, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

**MOTION:** Patrick Shaughnessy moved, seconded by Echo Bristol, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

*Delegated Authority for Urgent Matters*

**MOTION:** Jason Williams moved, seconded by Patrick Shaughnessy, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

*Delegation to Chief Legal Counsel Due to Loss of Quorum*

**MOTION:** Echo Bristol moved, seconded by Patrick Shaughnessy, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after one meeting. Motion carried unanimously.

*Monitoring Delegations*

**Delegation of Authorities for Monitoring**

**MOTION:** Jason Williams moved, seconded by David Larson, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the March 17, 2022 agenda materials on pages 18-19. Motion carried unanimously.

**Delegation of Authorities for Legal Counsel to Sign Monitoring Orders**

**MOTION:** Diane Lynch-deCombhs moved, seconded by Echo Bristol, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

*Credentialing Authority Delegations*

**Delegation of Authority to Credentialing Liaison**

**MOTION:** David Larson moved, seconded by Echo Bristol, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing

applications or questions presented to them, including the signing of documents related to applications. Motion carried unanimously.

#### **Delegation of Authority to DSPS When Credentialing Criteria is Met**

**MOTION:** Echo Bristol moved, seconded by Patrick Shaughnessy, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

#### **Delegation of Authority for Predetermination Reviews**

**MOTION:** David Larson moved, seconded by Diane Lynch-deCombhs, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

#### **Delegation of Authority for Conviction Reviews**

**MOTION:** Echo Bristol moved, seconded by Jason Williams, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of nursing home administration. Motion carried unanimously.

#### **Delegated Authority for Application Denial Reviews**

**MOTION:** Patrick Shaughnessy moved, seconded by David Larson, to delegate authority to the Department's Attorney Supervisors to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

#### ***Pre-Screening Delegation to Open Cases***

**MOTION:** Patrick Shaughnessy moved, seconded by Echo Bristol, to delegate pre-screening decision making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

***Pre-Screening Delegation to Close Cases***

- MOTION:** Echo Bristol moved, seconded by Patrick Shaughnessy, to delegate pre-screening decision making authority to the Department screening attorney for closing cases as outlined below:
1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
  2. Complaints that even if allegations are true, do not amount to a violation of law or rules.
- Motion carried unanimously.

***Voluntary Surrenders***

- MOTION:** David Larson moved, seconded by Patrick Shaughnessy, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

***Education and Examination Liaison(s) Delegation***

- MOTION:** Jason Williams moved, seconded by David Larson, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

***Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies***

- MOTION:** Echo Bristol moved, seconded by David Larson, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

***Optional Renewal Notice Insert Delegation***

- MOTION:** Diane Lynch-deCombhs moved, seconded by Patrick Shaughnessy, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

***Legislative Liaison Delegation***

- MOTION:** Echo Bristol moved, seconded by Patrick Shaughnessy, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.



***Travel Authorization Liaison Delegation***

**MOTION:** Patrick Shaughnessy moved, seconded by David Larson, to delegate authority to the Travel Authorization Liaison to approve any board member travel to and/or participation in events germane to the board, and to designate representatives from the Board to speak and/or act on the Board's behalf at such events. Motion carried unanimously.

***Website Liaison(s) Delegation***

**MOTION:** David Larson moved, seconded by Echo Bristol, to authorize to the Website Liaison(s) to act on behalf of the Board in working with Department staff to identify and execute website updates. Motion carried unanimously.

## Roles and Authorities Delegated for Monitoring

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors (“Monitor”) to enforce Board/Section orders as explained below.

### Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/disciplinary/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
- ~~5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section ordered continuing/disciplinary/remedial education.~~
- ~~6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.~~
- ~~7. Grant a maximum of one extension, if warranted and requested in writing by Respondent, to complete a Board/Section ordered evaluation or exam.~~
5. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain written authorization from the Liaison to sign on their behalf.
6. Grant or deny a request to appear before the Board/Section in closed session.
7. The Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
8. *(Except Pharmacy and Medical)* Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.

9. Grant Respondent's petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison. Orders that do not start at 49 screens will still follow the same standard schedule.
  - a. Initial: 49 screens (including 1 hair test, if required by original order)
  - b. 1st Reduction: 36 screens (plus 1 hair test, if required by original order)
  - c. 2<sup>nd</sup> Reduction: 28 screens plus 1 hair test
  - d. 3<sup>rd</sup> Reduction: 14 screens plus 1 hair test
10. (*Dentistry only*) Ability to approve or deny all requests from a respondent.

~~11. The Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.~~

### **Authorities Delegated to the Department Monitor**

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if education is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered education and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof of completion and/or payment have been received.
3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. Grant or deny approval when Respondent proposes treatment providers [, mentors, supervisors, etc.] unless the Order specifically requires full-Board/Section or Board designee approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing/disciplinary/remedial education.
6. Grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete a Board/Section-ordered evaluation or exam.

### **Authorities Delegated to Board Legal Counsel**

Board Legal Counsel may take the following actions on behalf of the Board/Section:

1. Sign Monitoring orders that result from Board/Section meetings on behalf of the Board/Section Chair.

Updated 12/13/2021

2022 Roles & Authorities

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Kristin Carlton, License Examination Spec-Sr. (at the request of Tom Ryan)		2) Date when request submitted: 11/01/2022 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Nursing Home Administrator Examining Board			
4) Meeting Date: 11/10/2022	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Office of Education and Examinations review of NHA Program Requirements as outlined in Wisconsin Administrative Code NHA 1.02 and NHA 3.01	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled? <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: Review of NHA Board-approved program requirements.			
11) Authorization			
Kristin A. Carlton		11/01/2022	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			
Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



## PUBLIC AGENDA REQUEST FORM

### **Instructions:**

1. Fill out this form, and then save to your device.
2. Return to the “[Suggest an Agenda Item](#)” page and select the appropriate Board or Council from the Board/Council list.
3. Attach your completed “Public Agenda Request” form and send.

First Name: Jim

Last Name: Stoa

Association/Organization: Wisconsin Health Care Association

Subject: NHA Licensure – Approval of New Specialized Courses

Issue to Address:

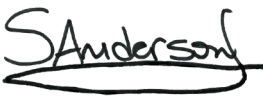
The Wisconsin Health Care Association has been working to encourage new entities to consider applying to offer Specialized Courses for NHA Licensure. Every week, we receive emails and calls from providers who see no real option for non-traditional students to enroll in a specialized course. The one specialized course currently approved by the NHA Examining Board, by St. Joseph’s, has been described to me as impractical for many students who also hold full-time employment.

As you know well, providers are desperate for staff right now, and historic turnover rates at leadership positions like NHAs has left many facilities struggling to find new and emerging leaders. We recently conducted a survey of our nursing home provider members, and we believe there are close to 100 individuals who would consider enrolling in an online Specialized Course for NHA licensure if there were a workable option approved by the NHA Examining Board.

What is the timeline for approval of new Specialized Courses? Have any applied? Please make this a priority of the Board.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Sofia Anderson – Administrative Rules Coordinator		<b>2) Date when request submitted:</b> March 14, 2023	
Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting			
<b>3) Name of Board, Committee, Council, Sections:</b> Nursing Home Administrators Examining Board			
<b>4) Meeting Date:</b> March 23, 2023	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Administrative Rules Matters – Discussion and consideration  1. Preliminary Rule Draft: NHA 3 relating to Board approval of education programs.  2. Pending and possible rulemaking projects	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>  N/A	
<b>10) Describe the issue and action that should be addressed:</b>  Attachments:  1. NHA 3 redlined document. 2. Chapter NHA 3 3. Chapter NHA 1			
<b>11) Authorization</b>  <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">   <hr/>                 Signature of person making this request             </div> <div style="text-align: right;">                 03/14/2023  <hr/>                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 60%;"> <hr/>                 Supervisor (if required)             </div> <div style="width: 30%;"> <hr/>                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 70%;"> <hr/>                 Executive Director signature (indicates approval to add post agenda deadline item to agenda)             </div> <div style="width: 25%;"> <hr/>                 Date             </div> </div>			
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

## Chapter NHA 3

### EDUCATIONAL PROGRAMS MEETING LICENSING AND CONTINUING EDUCATIONAL REQUIREMENTS

**NHA 3.01 Board approval. (1)** Except as provided in sub. (1m), ~~A~~ all regular courses of study, programs of study, and specialized courses shall be approved by the board.

**Note:** A list of approved regular courses of study, programs of study, and specialized courses is available from the department of safety and professional services' website at: <http://dsps.wi.gov>.

(1m) Programs accredited by NAB for Nursing Home Administrators and Health Services Executives shall be considered pre-approved by the board.

**(2)** An application for approval of a regular course of study shall include a current copy of the college or university catalog that contains a summary of the requirements for completion of the degree program, including a list of the required courses and a description of the supervised clinical practicum.

**(3)** An application for approval of a program of study shall include a current copy of the college or university catalog that contains a summary of the requirements for completion of the program of study, including a list and description of the required courses and the number of credits approved for each course.

**(4)** An application for approval of a specialized course shall include a current copy of the course syllabus, a description of the course, and the number of proposed credits.

~~**Note:** A list of approved regular courses of study, programs of study and specialized courses is available upon request to the board office at 1400 East Washington Avenue, P. O. Box 8935, Madison, Wisconsin 53708 or from the Department of Safety and Professional Services' website at: <http://dsps.wi.gov>.~~

**Note:** A list of approved regular courses of study, programs of study, and specialized courses is available from the department of safety and professional services' website at: <http://dsps.wi.gov>.

#### **NHA 3.02 Continuing education.**

**(1)** Except as provided in sub. (7), every nursing home administrator shall complete at least 24 contact hours in approved continuing education programs in each biennial renewal period.

**(1m)** Except as provided in s. NHA 3.03 (4) and (5), continuing education programs must be approved by NAB.

**Note:** A list of approved programs is available from the department of safety and professional services' website at: <http://dsps.wi.gov>.

**(2)** Continuing education contact hours may apply only to the biennial renewal period in which the contact hours are acquired.



**(3)** If audited, a nursing home administrator shall submit to the board a certificate of attendance issued by the provider or other evidence of attendance satisfactory to the board.

**(4)** To audit for compliance, the board shall require any nursing home administrator who is under investigation by the board for alleged misconduct to submit evidence of completion of 24 hours of continuing education for the biennium preceding the renewal.

**(5)** Every nursing home administrator shall maintain records of continuing education hours for at least 5 years for auditing purposes.

**(6)** A licensee may claim continuing education hours for courses successfully completed at an accredited college or university if all of the following requirements are satisfied:

(a) The courses are relevant to the practice of nursing home administration and cover one or more of the subject matter topics listed under s. NHA 3.03 (5).

(b) The courses are completed, with a passing grade, within the 2-year period immediately preceding the date of application for renewal.

(c) The licensee claims no more than 18 contact hours of the required 24 contact hours during the 2-year period immediately preceding the date of application for renewal.

(d) One semester credit hour earned from an accredited college or university shall equal 4 contact hours and one quarter credit hour earned shall equal 2 contact hours.

**(7)** During the time between initial licensure and commencement of a full 2-year licensure period, new

### **NHA 3.03 Approval of continuing education programs.**

**(1)** An application for a continuing education program shall be submitted to NAB for approval. Any continuing education program approved by NAB shall be accepted by the board if all of the following are satisfied:

**(a)** The program relates to one or more of the following general subject areas:

1. General administration of a nursing home.
2. Long-term patient care.
3. Organization of health-care systems.

**(b)** The program is available to all nursing home administrators regardless of membership in any organization.

**(c)** The provider of the continuing education program agrees to monitor the attendance, furnish to each participant evidence of having completed the program, and maintain records verifying attendance for 5 years.

**Note:** To obtain an application for approval of a continuing education program, contact NAB at <http://www.nabweb.org>.

**(2)** Except as provided in sub. (5), a separate application shall be submitted for each continuing education program.

**(3)** In-service programs sponsored by nursing homes are not eligible for approval unless the programs are available to all nursing home administrators.

**(4)** Any continuing education program submitted to NAB in a timely manner according to NAB procedures which is not approved may be submitted to the board for consideration. The request must be submitted at least 20 days prior to the date the program will be offered, and shall include all of the following:

**(a)** A copy of the notification from NAB indicating the reason or reasons the program was not approved.

**(b)** An outline of the program.

**(c)** A general description of the program's subject matter.

**(d)** The time and location the program is to be held.

**(e)** The name and title of the instructor of the program.

**Note:** Requests should be mailed to the Nursing Home Administrator Examining Board, P. O. Box 8366, Madison, Wisconsin 53708-8366.

**(5)** A course offered by an accredited college or university shall be accepted by the board, without NAB approval and without receipt of an application for approval from the accredited college or university, if the course is relevant to the practice of nursing home administration and covers at least one of the following subject areas:

**(a)** Behavioral science, including psychology, sociology, and social work.

**(b)** Business, including economics, marketing, accounting, finance, labor relations, human resources, and management of information systems.

**(c)** Management.

**(d)** Communications.

**(e)** Mathematics.

**(f)** Pharmacology.

**(g)** Toxicology.

**(h)** Biology.

**(i)** Environmental and public health.

**(j)** Medical ethics.

## Chapter NHA 1

### AUTHORITY AND DEFINITIONS

NHA 1.01 Authority.

NHA 1.02 Definitions.

**Note:** Chapter NHA 1 as it existed on June 30, 1980, was repealed and a new chapter NHA 1 was created effective July 1, 1980.

**NHA 1.01 Authority.** The rules in chs. [NHA 1](#) to [5](#) are adopted pursuant to ss. [15.08 \(5\) \(b\)](#), [227.11 \(2\)](#), and [456.02](#), Stats.

**History:** Cr. Register, June, 1980, No. 294, eff. 7-1-80; correction made under s. 13.93 (2m) (b) 7., Stats., Register, May, 1986, No. 365; correction made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1989, No. 405; am. Register, September, 1997, No. 501, eff. 10-1-97; [CR 18-054](#); am. Register June 2021 No. 786, eff. 7-1-21.

**NHA 1.02 Definitions.** As used in chs. [NHA 1](#) to [5](#):

**(1)** “Accredited college or university” means an educational institution that is accredited by a regional or national accrediting agency recognized by the U.S. department of education.

**(1g)** “Board” means the nursing home administrator examining board.

**(1m)** “Credit hour” means, for purposes of education completed to obtain an initial credential, a period of at least 50 minutes of instruction for a term of not less than 16 sessions. For purposes of continuing education, one earned semester credit hour shall be granted 4 contact hours of continuing education credit, and one earned quarter credit hour shall be granted 2 contact hours of continuing education credit.

**(2)** “Experience in the field of institutional administration” means work experience acquired in any consecutive 36-month period within the 5-year period immediately preceding the date of application for licensure, as an employee, student, trainee, or intern in the total operation and activities of a nursing home under the supervision of persons licensed under ch. [456](#), Stats., or holding the equivalent license in another state recognized by the board, and exposure to and knowledge of each of the following:

- (a) Fiscal management, including all of the following:
  1. Financial planning, forecasting, and budgeting.
  2. Accounting practices and principles.
  3. Fiscal intermediaries.
  4. Public finance programs.
  5. Management of residents’ funds.
- (b) Environmental services, including all of the following:
  1. Preventive maintenance programs for buildings and equipment.
  2. Sanitation procedures, practices, and policies.
  3. Design needs of the disabled.
  4. Environmental safety practices, policies, and procedures and accident prevention.
  5. Maintenance, housekeeping, laundry, and security functions.
  6. Relationship between health facility management.
  7. Government environmental service providers.
- (c) Resident services, including all of the following:
  1. Therapy services.
  2. Physician services.
  3. Social services.
  4. Resident food services.
  5. Resident activities.
  6. Patient care.

7. Drug handling and control.
  8. Nursing services.
  9. Rehabilitative and restorative.
- (d)** Personnel management, including all of the following:
  1. Recruiting, interviewing, hiring, and training.
  2. Reviewing, disciplining, and supervising employees.
  3. Recordkeeping.
  4. Preparation of statistical reports.
  5. Wage and salary administration.
  6. Health care staffing patterns.
  7. Human relations.
  8. Administering fringe benefit programs.
  9. State and federal employment regulations.
- (e)** State and federal inspections for compliance with applicable nursing home laws, rules, and regulations.
- (2n)** “Inspection” means any type of inspection conducted by the Wisconsin department of health services pursuant to s. [50.04](#), Stats., or [42 CFR Part 488](#).
- (3)** “NAB” means the National Association of Long Term Care Administrator Boards.
- (3m)** “Nursing home” has the meaning given in s. [456.01 \(2\)](#), Stats.
- (4)** “One contact hour” means a period of attendance in a continuing education program of at least 50 minutes.
- (5m)** “Pattern of serious violations of federal or state statutes, rules, or regulations” means the occurrence of any of the following:
  - (a) One or more class “A” violations, as defined in s. [50.04 \(4\) \(b\) 1.](#), Stats., in each of at least 2 inspections within any consecutive 36-month period.
  - (b) One or more deficiencies related to participation requirements under [42 CFR 483.13](#), [483.15](#), or [483.25](#), which constitute immediate jeopardy to a resident’s health or safety, in each of at least 2 inspections within any consecutive 36-month period.
  - (c) One or more deficiencies related to participation requirements under [42 CFR 483.13](#), [483.15](#), or [483.25](#), which constitute a pattern of actual harm, but which does not constitute immediate jeopardy to a resident’s health or safety, in each of at least 2 inspections within any consecutive 36-month period.
  - (d) One or more deficiencies related to participation requirements under [42 CFR 483.13](#), [483.15](#), or [483.25](#), which constitute widespread actual harm, but which does not constitute immediate jeopardy to a resident’s health or safety, in each of at least 2 inspections within any consecutive 36-month period.
  - (e) One class “A” violation, as defined in s. [50.04 \(4\) \(b\) 1.](#), Stats., and one deficiency of any type specified in par. **(b)**, **(c)**, or **(d)**, within 36 months of each other, but resulting from different inspections.
  - (f) Two or more deficiencies in any combination of single deficiencies of the types specified in par. **(b)**, **(c)**, or **(d)**, within 36 months of each other, but resulting from different inspections.
- (6)** “Program of study” means a prescribed sequence of courses that is offered by a university or college accredited by a regional or national accrediting agency recognized by the U.S. department of education and that consists of at least one course of 3 credit hours in each of the following:

- (a) Laws governing the operation of licensed nursing homes.
- (b) Elements of proper and effective administration of licensed nursing homes.
- (c) Protection of the interests, safety, and well-being of residents.
- (d) Psychological, physical, medical, and social needs of residents.

**(7)** “Regular course of study” means a prescribed program of courses offered by a university or college, accredited by a regional or national accrediting agency recognized by the U.S. department of education, which leads to an associate, baccalaureate, master, or doctoral degree and that includes a program of study and a supervised clinical practicum.

**(8)** “Specialized courses” means individual courses that are offered by one or more educational institutions or course providers and that lead to adequate preparation in each of the following general subject areas in nursing home administration:

- (a) Administration of a nursing home.
- (b) Long-term patient care.
- (c) Organizations of health-care systems.
- (9)** “Supervised clinical practicum” means work experience acquired in a nursing home in conjunction with a regular course of study.

**History:** Cr. Register, June, 1980, No. 294, eff. 7-1-80; am. (6) (intro.), Register, May, 1986, No. 365, eff. 6-1-86; am. (4) (a) and (b), (6) (intro.), cr. (6) (e), Register, September, 1989, No. 405, eff. 10-1-89; renum. (1) to (6) to be (5), (4), (7), (6), (8) and (1) and am. (1) (intro.), cr. (2) and (3), Register, June, 1991, No. 426, eff. 7-1-91; reprinted to correct printing error, Register, July, 1992, No. 439; corrections made in (1) under s. 13.93 (2m) (b) 1., Stats., Register, October, 1993, No. 454; am. (intro.), (1) (intro.), (b) (intro.), 7. and (c) (intro.), 9., (d) (intro.), (6) (intro.) and (7), r. and recr. (1) (c) 2., renum. (2) and (8) to be (3m) and (8) (intro.) and am., cr. (8) (a), (b), (c) and (9), Register, September, 1997, No. 501, eff. 10-1-97; renum. (1) to be (2), cr. (1), Register, January, 2000, No. 529, eff. 2-1-00; CR 01-101: am. (intro.) and (3), cr. (2n) and (5m), Register February 2002 No. 554, eff. 3-1-02; CR 06-010: renum. (5) to be (1m) and am. Register July 2006 No. 607, eff. 8-1-06; correction in (2n) made under s. 13.92 (4) (b) 6., Stats., Register March 2013 No. 687; **CR18-054: am. (intro.), cr. (1g), am. (2) (intro.), (a) (intro.), 1. to 4., (b) (intro.), 1. to 6., (c) (intro.), 1. to 8., (d) (intro.), 1. to 8., (e), (3), (3m), (5m), (6), (7), (8) (intro.) Register June 2021 No. 786, eff. 7-1-21.**

## Chapter NHA 3

### EDUCATIONAL PROGRAMS MEETING LICENSING AND CONTINUING EDUCATIONAL REQUIREMENTS

NHA 3.01 Board approval.  
NHA 3.02 Continuing education.

NHA 3.03 Approval of continuing education programs.

**Note:** Chapter NHA 3 as it existed on June 30, 1980 was repealed and a new chapter NHA 3 was created effective July 1, 1980.

**NHA 3.01 Board approval. (1)** All regular courses of study, programs of study, and specialized courses shall be approved by the board.

**Note:** A list of approved regular courses of study, programs of study, and specialized courses is available from the department of safety and professional services' website at: <http://dpsps.wi.gov>.

**(2)** An application for approval of a regular course of study shall include a current copy of the college or university catalog that contains a summary of the requirements for completion of the degree program, including a list of the required courses and a description of the supervised clinical practicum.

**(3)** An application for approval of a program of study shall include a current copy of the college or university catalog that contains a summary of the requirements for completion of the program of study, including a list and description of the required courses and the number of credits approved for each course.

**(4)** An application for approval of a specialized course shall include a current copy of the course syllabus, a description of the course, and the number of proposed credits.

**Note:** A list of approved regular courses of study, programs of study and specialized courses is available upon request to the board office at 1400 East Washington Avenue, P. O. Box 8935, Madison, Wisconsin 53708 or from the Department of Safety and Professional Services' website at: <http://dpsps.wi.gov>.

**History:** Cr. Register, June, 1980, No. 294, eff. 7-1-80; renum. NHA 3.01 to be NHA 3.01 (1), cr. (2), (3) and (4), Register, September, 1997, No. 501, eff. 10-1-97; CR18-054: am. Register June 2021 No. 786, eff. 7-1-21.

**NHA 3.02 Continuing education. (1)** Except as provided in sub. (7), every nursing home administrator shall complete at least 24 contact hours in approved continuing education programs in each biennial renewal period.

**(1m)** Except as provided in s. NHA 3.03 (4) and (5), continuing education programs must be approved by NAB.

**Note:** A list of approved programs is available from the department of safety and professional services' website at: <http://dpsps.wi.gov>.

**(2)** Continuing education contact hours may apply only to the biennial renewal period in which the contact hours are acquired.

**(3)** If audited, a nursing home administrator shall submit to the board a certificate of attendance issued by the provider or other evidence of attendance satisfactory to the board.

**(4)** To audit for compliance, the board shall require any nursing home administrator who is under investigation by the board for alleged misconduct to submit evidence of completion of 24 hours of continuing education for the biennium preceding the renewal.

**(5)** Every nursing home administrator shall maintain records of continuing education hours for at least 5 years for auditing purposes.

**(6)** A licensee may claim continuing education hours for courses successfully completed at an accredited college or university if all of the following requirements are satisfied:

(a) The courses are relevant to the practice of nursing home administration and cover one or more of the subject matter topics listed under s. NHA 3.03 (5).

(b) The courses are completed, with a passing grade, within the 2-year period immediately preceding the date of application for renewal.

(c) The licensee claims no more than 18 contact hours of the required 24 contact hours during the 2-year period immediately preceding the date of application for renewal.

(d) One semester credit hour earned from an accredited college or university shall equal 4 contact hours and one quarter credit hour earned shall equal 2 contact hours.

**(7)** During the time between initial licensure and commencement of a full 2-year licensure period, new licensees are not required to meet continuing education requirements.

**History:** Cr. Register, June, 1980, No. 294, eff. 7-1-80; am. (3), cr. (4) and (5), Register, June, 1991, No. 426, eff. 7-1-91; cr. (1m), Register, September, 1997, No. 501, eff. 10-1-97; CR 01-101: am. (5), Register February 2002 No. 554, eff. 3-1-02; CR 06-010: am. (1) and (1m), cr. (6) and (7) Register July 2006 No. 607, eff. 8-1-06; CR18-054: am. (4) Register June 2021 No. 786, eff. 7-1-21.

**NHA 3.03 Approval of continuing education programs. (1)** An application for a continuing education program shall be submitted to NAB for approval. Any continuing education program approved by NAB shall be accepted by the board if all of the following are satisfied:

(a) The program relates to one or more of the following general subject areas:

1. General administration of a nursing home.
2. Long-term patient care.
3. Organization of health-care systems.

(b) The program is available to all nursing home administrators regardless of membership in any organization.

(c) The provider of the continuing education program agrees to monitor the attendance, furnish to each participant evidence of having completed the program, and maintain records verifying attendance for 5 years.

**Note:** To obtain an application for approval of a continuing education program, contact NAB at <http://www.nabweb.org>.

**(2)** Except as provided in sub. (5), a separate application shall be submitted for each continuing education program.

**(3)** In-service programs sponsored by nursing homes are not eligible for approval unless the programs are available to all nursing home administrators.

**(4)** Any continuing education program submitted to NAB in a timely manner according to NAB procedures which is not approved may be submitted to the board for consideration. The request must be submitted at least 20 days prior to the date the program will be offered, and shall include all of the following:

- (a) A copy of the notification from NAB indicating the reason or reasons the program was not approved.
- (b) An outline of the program.
- (c) A general description of the program's subject matter.
- (d) The time and location the program is to be held.
- (e) The name and title of the instructor of the program.

**Note:** Requests should be mailed to the Nursing Home Administrator Examining Board, P. O. Box 8366, Madison, Wisconsin 53708-8366.

**(5)** A course offered by an accredited college or university shall be accepted by the board, without NAB approval and with-

out receipt of an application for approval from the accredited college or university, if the course is relevant to the practice of nursing home administration and covers at least one of the following subject areas:

- (a) Behavioral science, including psychology, sociology, and social work.
- (b) Business, including economics, marketing, accounting, finance, labor relations, human resources, and management of information systems.
- (c) Management.
- (d) Communications.

- (e) Mathematics.
- (f) Pharmacology.
- (g) Toxicology.
- (h) Biology.
- (i) Environmental and public health.
- (j) Medical ethics.

**History:** Cr. Register, June, 1980, No. 294, eff. 7-1-80; r. (1), (4) and (5), renum. (2), (3) and (6) to be (1) to (3) and am. (1) (intro.), (a), (c) and (3), cr. (4), Register, June, 1991, No. 426, eff. 7-1-91; am. (1) (a) 1., (3) and (4), Register, September, 1997, No. 501, eff. 10-1-97; CR 06-010: am. (1) (intro.) and (c) and (2), cr. (5) Register July 2006 No. 607, eff. 8-1-06; CR 18-054: renum. (4) to (4) (intro.) and am., cr. (4) (a) to (e) Register June 2021 No. 786, eff. 7-1-21.