



TELECONFERENCE/VIRTUAL MEETING

NURSING HOME ADMINISTRATORS EXAMINING BOARD **Room 121A, 1400 East Washington Avenue, Madison** **Contact: Tom Ryan (608) 266-2112** **March 19, 2018**

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 record of the actions of the Board.

AGENDA

9:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A) Adoption of Agenda (1-3)**
- B) Approval of Minutes of May 18, 2017 (4)**
- C) Administrative Updates (5-12)**
 - 1) **Department and Staff Updates**
 - 2) **Election of Officers**
 - 3) **Appointment of Liaisons and Alternates**
 - 4) **Delegation of Authorities**
 - 5) **Board Members – Term Expiration Dates**
 - a) Kathleen Bertram – 07/01/2018
 - b) Stefanie Carton – 07/01/2019
 - c) Brittany Cobb – 07/01/2018
 - d) April Folgert – 07/01/2019
 - e) Charles Hawkins – 07/01/2017 (Reappointed, not yet confirmed)
 - f) Susan Kinast-Porter – 07/01/2009
 - g) Jessica Radtke
 - h) Patrick Shaughnessy – 07/01/2019
 - i) Vacant – Public Member
- D) Legislative and Administrative Rule Matters – Discussion and Consideration (13-23)**
 - 1) Position Statements Related to Nursing Home Administrators Issued by the Nursing Home Administrators Examining Board
 - 2) Proposals for NHA 1 to 4 Relating to Requirements for Licensure, Examinations and Approval of Education Programs
 - 3) Update on Legislation or Pending or Possible Rulemaking Projects
- E) Occupational License Study (24-25)**
 - 1) 2017 Wisconsin Act 59 (enacted in State Budget Bill)

- F) National Association of Long Term Care Administrator Boards (NAB) Matters (26)**
- 1) National Association of Long Term Care Administrator Boards (NAB) Annual Meeting – June 6-8, 2018
 - 2) National Association of Long Term Care Administrator Boards (NAB) Midyear Meeting – Date and Location to be Announced
- G) Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports
- H) Informational Items
- I) Items Added After Preparation of Agenda:
- 1) Introductions, Announcements and Recognition
 - 2) Nominations, Elections, and Appointments
 - 3) Administrative Updates
 - 4) Education and Examination Matters
 - 5) Credentialing Matters
 - 6) Practice Matters
 - 7) Legislation/Administrative Rule Matters
 - 8) Liaison Report(s)
 - 9) Informational Item(s)
 - 10) Disciplinary Matters
 - 11) Presentations of Petition(s) for Summary Suspension
 - 12) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
 - 13) Presentation of Proposed Decisions
 - 14) Presentation of Interim Order(s)
 - 15) Petitions for Re-Hearing
 - 16) Petitions for Assessments
 - 17) Petitions to Vacate Order(s)
 - 18) Petitions for Designation of Hearing Examiner
 - 19) Requests for Disciplinary Proceeding Presentations
 - 20) Motions
 - 21) Petitions
 - 22) Appearances from Requests Received or Renewed
 - 23) Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports
- J) 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.).

- K) Deliberation on Division of Legal Services and Compliance (DLSC) Matters**
- 1) Monitoring
 - 2) Administrative Warnings
 - a) 17 NHA 013 – T.W.H., N.H.A. **(27-28)**
 - b) 17 NHA 020 – N.J.G. **(29-30)**
 - 3) Proposed Stipulations, Final Decisions and Orders
 - 4) Case Closures
 - a) 16 NHA 061 – J.S.B., NHA **(31-38)**

L) Deliberation of Items Added After Preparation of the Agenda

- 1) Nominations, Elections, and Appointments
- 2) Education and Examination Matters
- 3) Credentialing Matters
- 4) Disciplinary Matters
- 5) Monitoring Matters
- 6) Professional Assistance Procedure (PAP) Matters
- 7) Petition(s) for Summary Suspensions
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Administrative Warnings
- 10) Proposed Decisions
- 11) Matters Relating to Costs
- 12) Case Closings
- 13) Case Status Report
- 14) Petition(s) for Extension of Time
- 15) Proposed Interim Orders
- 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

M) Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

N) Open Session Items Noticed Above not Completed in the Initial Open Session

O) Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

P) Delegation and Ratification of Examination Results and Ratification of Licenses and Certificates

Q) Credentialing Liaison Training

ADJOURNMENT

NEXT MEETING DATE MAY 17, 2018

**NURSING HOME ADMINISTRATORS EXAMINING BOARD
MEETING MINUTES
May 18, 2017**

PRESENT: Kathleen Bertram (*via GoToMeeting/joined the meeting at 9:40 a.m.*), Brittany Cobb, Timothy Conroy, April Folgert, Charles Hawkins (*via GoToMeeting*), Patrick Shaughnessy (*via GoToMeeting*)

EXCUSED: Susan Kinast-Porter, Jessica Radtke

STAFF: Tom Ryan, Executive Director; Nifty Lynn Dio, Bureau Assistant; and other Department Staff

CALL TO ORDER

Timothy Conroy, Chair, called the meeting to order at 9:32 a.m. A quorum of five (5) members was confirmed.

ADOPTION OF AGENDA

MOTION: April Folgert moved, seconded by Brittany Cobb, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Patrick Shaughnessy moved, seconded by Brittany Cobb, to approve the minutes of February 2, 2017 as published. Motion carried unanimously.

BOARD TRAINING – PROTECTING THE BOARD’S MISSION

The Board reviewed training information relating to Public Records and Ethics and Lobbying requirements at this meeting.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

Health Services Executive Qualification of the National Association of Long Term Care Administrator Boards

MOTION: Patrick Shaughnessy moved, seconded by April Folgert, to request DSPS staff draft a Scope Statement relating to a comprehensive review of the Board’s rules concerning licensure, examinations, and educational programs, and to authorize the Chair to approve the Scope Statement for submission to the Governor’s Office and publication, and for implementation no less than 10 days after publication. Motion carried unanimously.

DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND RATIFICATION OF LICENSES AND CERTIFICATES

MOTION: Charles Hawkins moved, seconded by Brittany Cobb, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: April Folgert moved, seconded by Brittany Cobb, to adjourn the meeting at 12:10 p.m. Motion carried unanimously.

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Laura Smith, Bureau Assistant, on behalf of Tom Ryan, Executive Director		2) Date When Request Submitted: 11/22/17 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Nursing Home Administrators Examining Board			
4) Meeting Date: 3/1/2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters/Updates 1) Election of Officers 2) Appointment of Liaisons and Alternates 3) Delegation of Authorities	
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 required: N/A	
10) Describe the issue and action that should be addressed: 1) The Board should conduct Election of its Officers for 2018 2) The new Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate 3) The Board should review and then consider continuation or modification of previously delegated authorities			
11) Authorization			
<i>Laura Smith</i>		11/22/2017	
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.			

Nursing Home Administrators Examining Board – February 2, 2017

Conroy resigned in May of June 2017 – elevated Shaughnessy to Monitoring Liaison, Travel Liaison, PAP liaison; will lead meetings as Vice Chair for minute purposes

Kate Bertram will need to serve on Screening Panel

2017 ELECTION RESULTS	
Board Chair	Timothy Conroy
Vice Chair	Patrick Shaughnessy
Secretary	Charles Hawkins

LIAISON APPOINTMENTS

2017 LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Patrick Shaughnessy Alternate – Stefanie Carton
Office of Education and Exams Liaison	Charles Hawkins Alternate – Patrick Shaughnessy
Monitoring Liaison	Timothy Conroy Alternate – Patrick Shaughnessy
Professional Assistance Procedure (PAP) Liaison	Timothy Conroy Alternate – Patrick Shaughnessy
Legislative Liaison	Stefanie Carton Alternate – Charles Hawkins
Travel Liaison	Timothy Conroy Alternate – Charles Hawkins
Administrative Rules Liaison	Stefanie Carton Alternate – Charles Hawkins
Website Liaison	Patrick Shaughnessy Alternate – Stefanie Carton
Screening Panel	Timothy Conroy, Patrick Shaughnessy Alternate – Kate Bertram

MOTION: April Folgert moved, seconded by Stefanie Carton, to affirm the Chair’s appointment of liaisons for 2017. Motion carried unanimously.

DELEGATION MOTIONS

Document Signature Delegation

MOTION: Charles Hawkins moved, seconded by Patrick Shaughnessy, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair, chief presiding officer, or longest serving member of the Board, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Board delegates the authority to Executive Director or designee to sign the name of any Board member on documents as necessary and appropriate. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Charles Hawkins moved, seconded by Patrick Shaughnessy, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison, panel and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

Monitoring Delegations

MOTION: Charles Hawkins moved, seconded by Patrick Shaughnessy, to affirm the Chair’s appointment of Timothy Conroy as the Monitoring Liaison, and Patrick Shaughnessy as the alternate, to adopt the ‘Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor; document as presented. Motion carried unanimously.

Credentialing Authority Delegations

MOTION: Charles Hawkins moved, seconded by Patrick Shaughnessy, to delegate authority to the Credentialing Liaisons to address all issues related to credentialing matters except potential denial decisions should be referred to the full Board for final determination. Motion carried unanimously.

MOTION: Charles Hawkins moved, seconded by Patrick Shaughnessy, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Charles Hawkins moved, seconded by Patrick Shaughnessy, that the Board counsel or another department attorney is formally authorized to serve as the Board’s designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

Travel Delegation

MOTION: Charles Hawkins moved, seconded by Patrick Shaughnessy, to authorize the travel liaison to approve all Board travel. Motion carried unanimously.

Annual Meeting Delegation

MOTION: Patrick Shaughnessy moved, seconded by April Folgert, to designate Tom Ryan or alternate to attend all annual and mid-year NAB meetings as the Board’s delegate, and to authorize his travel, with the exception of the 2017 annual meeting. Motion carried unanimously.

Proposed New Delegated Authorities:

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison (Generic)

MOTION: moved, seconded by , to delegate authority to the Credentialing Liaisons to make all credentialing decisions. Motion carried unanimously.

Voluntary Surrenders

MOTION: moved, seconded by , to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender of a license by a licensee who has a pending complaint or disciplinary matter per Wis. Stat. § 440.19. Motion carried unanimously.

Continuing Education Delegation or Education Delegations

MOTION: moved, seconded by , to delegate authority to the Office of Education and Examination Liaison(s) to address all issues related to CE, education and examinations. Motion carried unanimously.

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

MOTION: moved, seconded by , to authorize Department staff to provide national regulatory bodies with all Board/Council member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: moved, seconded by to designate the highest-ranking officer (or) 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.

Rules Committee Delegation

MOTION: moved, seconded by , to grant the Rules Committee the ability to address all rule-making language. Motion carried unanimously.

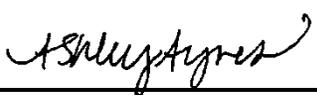
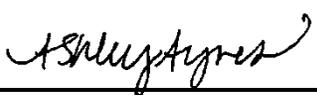
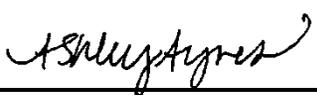
Legislative Liaison Delegation

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

Occupational Licensure Study Liaison

MOTION: moved, seconded by , to designate [redacted] as the Board’s liaison to represent and speak on behalf of the Board regarding occupational license review and related matters. Motion carried unanimously.

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Ashley Ayres Monitoring and Intake Supervisor Division of Legal Services and Compliance		2) Date When Request Submitted: December 18, 2017 Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 							
3) Name of Board, Committee, Council, Sections: Nursing Home Administrators Examining Board									
4) Meeting Date: March 1, 2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Appointment of Monitoring Liaison and Delegated Authority Motion							
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:							
10) Describe the issue and action that should be addressed: Adopt or reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet.									
11) <table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;"> <div style="text-align: center;">  Signature of person making this request </div> </td> <td style="width: 40%; border: none; text-align: center;"> Authorization December 18, 2017 Date </td> </tr> <tr> <td style="border: none; height: 40px;"> Supervisor (if required) </td> <td style="border: none; text-align: center;"> Date </td> </tr> <tr> <td style="border: none;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </td> <td style="border: none; text-align: center;"> Date </td> </tr> </table>				<div style="text-align: center;">  Signature of person making this request </div>	Authorization December 18, 2017 Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)	Date
<div style="text-align: center;">  Signature of person making this request </div>	Authorization December 18, 2017 Date								
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Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

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

Current 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/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 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 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 the signature or written authorization from the Liaison.
8. Grant or deny a request to appear before the Board/Section in closed session.
9. *(Except Pharmacy)* 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.
10. *(Except Pharmacy)* 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.
 - a. Year 1: 49 screens (including 1 hair test, if required by original order)
 - b. Year 2: 36 screens (plus 1 hair test, if required by original order)
 - c. Year 3: 28 screens plus 1 hair test
 - d. Year 4: 28 screens plus 1 hair test
 - e. Year 5: 14 screens plus 1 hair test
11. *(Dentistry only)* – Ability to approve or deny all requests from a respondent.

Current 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 CE 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 CE 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 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.
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Proposed (New) Delegations to the Monitoring Liaison

The Monitoring Unit is proposing the following additions to the Monitoring Liaison's authority:

1. Board Monitoring Liaison may determine whether Respondent's petition is eligible for consideration by the full Board/Section.
2. Board Monitoring Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dale Kleven Administrative Rules Coordinator		2) Date When Request Submitted: 11/6/17 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Nursing Home Administrator Examining Board			
4) Meeting Date: 11/16/17	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative and Administrative Rule Matters – Discussion and Consideration 1. Position Statements Related to Nursing Home Administrators Issued By the Nursing Home Administrators Examining Board 2. Proposals for NHA 1 to 4 Relating to Requirements for Licensure, Examinations, and Approval of Educational Programs 3. Update on Pending Legislation and Pending and Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: 1. DSPS has begun to review Board and Council position statements and FAQs as part of a website improvement project. As such, this gives each Board an opportunity to remove items they feel do not need to be on the website and/or make needed updates, as general clean-up.			
11) Authorization			
<i>Dale Kleven</i>		<i>November 6, 2017</i>	
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.			

**Positions Statements Related to Nursing Home Administrators
Issued by the Nursing Home Administrators Examining Board**

**WHAT IS THE PRIMARY SOURCE OF WISCONSIN LAWS THAT GOVERN THE
REGULATION OF NURSING HOME ADMINISTRATORS?**

Nursing Home Administrators are licensed by the Nursing Home Administrator Examining Board pursuant to [Wis. Stats. ch. 456](#). See also the [Wisc. Admin. Code ch. NHA 1-5](#).

**WHAT IS THE PRIMARY SOURCE OF FEDERAL LAWS THAT GOVERN THE
REGULATION OF NURSING HOME ADMINISTRATORS?**

The Omnibus Budget Reconciliation Act of 1987 ("OBRA"), 42 U.S.C. 1396r.

**WHAT IS THE PRIMARY SOURCE OF WISCONSIN LAWS THAT GOVERNS THE
LICENSURE OF NURSING HOMES?**

Nursing homes are licensed by the Wisconsin Department of Health Services pursuant to [Wis. Stats. Ch 50](#). See also, [Wis. Admin. Code Ch. DHS 132](#).

**ARE NURSING HOME ADMINISTRATORS REQUIRED TO REPORT
MISCONDUCT ENGAGED IN BY OTHER NURSING HOME ADMINISTRATORS?**

Yes. As stipulated in [Ch NHA 5.02\(5\)](#), Wisc. Admin Code, nursing home administrators are required to report to the Nursing Home Administrator Examining Board any practice by a licensee that constitutes a consistent danger to the health, welfare, or safety of a patient or the public.

**DOES A PATTERN OF VIOLATIONS OF FEDERAL OR STATE STATUTES, RULES
OR REGULATIONS CONSTITUTE A GROUND FOR DISCIPLINE?**

Yes. If proof is submitted to the Nursing Home Administrator Examining Board that while a licensee was the administrator of a nursing home, that nursing home engaged in conduct that constituted a pattern of serious violations of federal or state statutes, rules or regulations, the nursing home administrator may be subject to discipline. Other grounds for suspension or revocation of a license are outlined in [Wis. Stats 456.10](#).

**WHAT CONSTITUTES "A PATTERN OF SERIOUS VIOLATIONS OF FEDERAL
OR STATE STATUTES, RULES OR REGULATIONS"?**

The term "pattern of serious violations of federal or state statutes, rules or regulations" is defined to mean the occurrence of any of the following: {[Wis. Admin. Code § NHA 1.02\(5m\)](#)}

(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 sections 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 sections 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 sections 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) At least 2 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.

WHAT CONSTITUTES "UNFIT OR INCOMPETENT BY REASON OF NEGLIGENCE, HABITS OR OTHER CAUSES"?

Under [Wis. Admin. Code s. NHA 5.02](#), the following conduct, without limitation because of enumeration, constitutes unfitness to practice as a nursing home administrator:

(1) Violating in a negligent manner, by an act or acts of omission or commission, or aiding or abetting the violation of any law substantially relating to the practice of nursing home administration.

(2) Practicing in a manner which substantially departs from the standard of care ordinarily exercised by a nursing home administrator which harms or could have harmed a patient.

(3) Practicing while impaired by physical, mental or emotional disorder or drug or alcohol abuse.

(4) Intentionally falsifying patient records.

- (5) Failing to report to the board any practice by a licensee that constitutes a consistent danger to the health, welfare, or safety of patient or public.
- (6) Engaging in any practice as a nursing home administrator which constitutes a substantial danger to the health, welfare, or safety of patient or public.
- (7) Refusing to render services to a person because of race, color, sex, religion, or age.
- (8) Obtaining or attempting to obtain any compensation by fraud.
- (9) Impersonating another nursing home administrator.
- (10) Advertising in a manner which is false, deceptive, or misleading.
- (11) Exercising undue influence on or taking unfair advantage of a patient.
- (12) Committing or aiding or abetting the commission of rebate or fee-splitting arrangements with health care providers.
- (13) Having one's license revoked or suspended in another state or United States jurisdiction.
- (14) Violating or attempting to violate any formal disciplinary order of the board.
- (15) Intentionally providing false information to the board in connection with an application for a license or for renewal of a license.

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.

NHA 1.02 Definitions. As used in ch. [456](#), Stats., and 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.

(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, but not limited to:
 1. Financial planning, forecasting and budgeting,
 2. Accounting practices and principles,
 3. Fiscal intermediaries,
 4. Public finance programs, and
 5. Management of residents’ funds.
- (b) Environmental services, including, but not limited to:
 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; and
 7. Government environmental service providers.
- (c) Resident services, including, but not limited to:
 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, and

9. Rehabilitative and restorative.

(d) Personnel management, including, but not limited to:

1. Recruiting, interviewing, hiring, training,
2. Reviewing, disciplining, supervising of employees,
3. Record-keeping,
4. Preparation of statistical reports,
5. Wage and salary administration,
6. Health care staffing patterns,
7. Human relations,
8. Administering fringe benefit programs, and
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 boards of examiners of long term care administrators.

(3m) “Nursing home” has the meaning given under 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 sections 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 sections 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 sections 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) At least 2 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 offered by a university or college, accredited by a regional or national accrediting agency recognized by the U.S. department of education, which 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; and
- (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 which includes a program of study and a supervised clinical practicum.

(8) “Specialized courses” means individual courses offered by one or more educational institutions or course providers which lead to adequate preparation in each of the following general sub-

ject 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.**

Chapter NHA 2

REQUIREMENTS FOR EXAMINATION

NHA 2.01 Examinations.
NHA 2.02 Application for examination.

NHA 2.04 Passing grades.
NHA 2.05 Rules of conduct.

Note: Chapter NHA 2 as it existed on June 30, 1980, was repealed and a new chapter NHA 2 was created effective July 1, 1980.

NHA 2.01 Examinations. (1) The board shall determine the subjects for examination of applicants for license as a nursing home administrator. The scope, content, form and character of the examinations shall be the same for all candidates.

(2) Examinations shall be held at a time and place designated by the board.

(3) The examination shall consist of the following:

(a) Part I – the national examination prepared by NAB, and

(b) Part II – the state law examination prepared by the board.

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80; cr. (3), Register, February, 1995, No. 470, eff. 3-1-95.

NHA 2.02 Application for examination. An applicant for examination for a license as a nursing home administrator shall apply on a form provided by the board. An applicant shall also submit to the board:

(2) The fees authorized by s. 440.05 (1), Stats.

(3) A statement relating to any pending criminal charge or conviction record, subject to ss. 111.321, 111.322 and 111.335, Stats. An applicant who has a pending criminal charge or has a conviction record shall provide the board with all related information necessary for the board to determine whether the circumstances of the pending charge or conviction substantially relate to the practice of nursing home administration.

(4) A qualified applicant with a disability shall be provided with reasonable accommodations requested in connection with

the completion of an application for examination submitted under this section.

Note: Applications are available from the Department of Safety and Professional Services, Division of Professional Credentialing, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708, or from the department's website at: <http://dsps.wi.gov>.

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80; r. and recr. Register, May, 1986, No. 365, eff. 6-1-86; am. (1) (c) 1. to 3., Register, June, 1991, No. 426, eff. 7-1-91; cr. (1) (d), Register, February, 1995, No. 470, eff. 3-1-95; r. and recr. Register, September, 1997, No. 501, eff. 10-1-97; CR 01-101: am. (intro.), Register February 2002 No. 554, eff. 3-1-02; CR 14-078: r. (1), am. (4) Register November 2015 No. 719, eff. 12-1-15.

NHA 2.04 Passing grades. (1) NATIONAL. To pass the national examination, each applicant shall receive a grade determined by the board to represent minimum competence to practice. The board may adopt the passing grade recommended by the examination provider.

(2) STATE. To pass the state law examination, each applicant shall receive a grade determined by the board to represent minimum competence to practice. The board shall determine the passing grade after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics.

History: Cr. Register, September, 1997, No. 501, eff. 10-1-97.

NHA 2.05 Rules of conduct. The board may deny the application for licensure of any applicant who violates the rules of conduct of the examination.

History: Cr. Register, September, 1997, No. 501, eff. 10-1-97.

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 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://dps.wi.gov>.

(2) An application for approval of a regular course of study shall include a current copy of the college or university catalog which 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 which 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.

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80; renun. NHA 3.01 to be NHA 3.01 (1), cr. (2), (3) and (4), Register, September, 1997, No. 501, eff. 10-1-97.

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 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://dps.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 may require any nursing home administrator 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.

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 1444 I Street, N.W., #700, Washington, D.C., 20005-6542 <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 on forms provided by the board at least 20 days prior to the date the program will be offered, and shall include the written notification from NAB stating the reasons the program was not approved, an outline of the program, a general description of the subject matter, the time and location, and the name and title of the instructor of the program.

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

(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.

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.

Chapter NHA 4

LICENSURE

NHA 4.01 Licensure.
 NHA 4.02 Biennial renewal.
 NHA 4.03 Reciprocity.

NHA 4.04 Accommodations relating to a disability.
 NHA 4.05 Display of license and current registration certificate.

Note: Chapter NHA 4 as it existed on June 30, 1980 was repealed and a new chapter NHA 4 was created effective July 1, 1980.

NHA 4.01 Licensure. (1) APPLICATION. An applicant for licensure shall:

(a) Submit an application for licensure on a form approved by the board.

(b) Satisfy the examination requirements specified in s. NHA 2.01 (3).

(c) If the applicant has not completed a regular course of study, submit evidence of successful completion of one year of experience in the field of institutional administration.

Note: Applications are available from the Department of Safety and Professional Services, Division of Professional Credentialing, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708, or from the department's website at: <http://dpsps.wi.gov>.

(d) Satisfy any one of the following educational requirements:

1. A regular course of study.
2. A program of study.
3. Specialized courses.

(e) Provide a statement relating to any pending criminal charge or conviction record, subject to ss. 111.321, 111.322 and 111.335, Stats. An applicant who has a pending criminal charge or has a conviction record shall provide the board with all related information necessary for the board to determine whether the circumstances of the pending charge or conviction substantially relate to the practice of nursing home administration.

(2) REAPPLICATION. An applicant who fails to satisfy all requirements for licensure within 2 years after filing an application for licensure shall file a new application, retake the state law examination and resubmit verification of successful completion of the NAB examination.

(3) REGISTRATION. Every person granted a license as a nursing home administrator shall be deemed registered for the current registration period. Registrants must qualify biennially for certificates of renewal.

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80; r. and recr. Register, February, 1995, No. 470, eff. 3-1-95; am. (1) (b), r. and recr. (1) (c), cr. (1) (d) and (e), Register, September, 1997, No. 501, eff. 10-1-97; am. (1) (c), Register, January, 2000, No. 529, eff. 2-1-00; CR 01-101: am. (1) (d), Register February 2002 No. 554, eff. 3-1-02; CR 14-078: renum. (1) (d) to (1) (d) (intro.), cr. (1) (d) 1. to 3. Register November 2015 No. 719, eff. 12-1-15.

NHA 4.02 Biennial renewal. (1) REQUIREMENTS FOR RENEWAL. To renew and obtain a new certificate of registration a licensee must, by July 1 of the even-numbered year following initial licensure and every 2 years thereafter, file with the board:

(a) An application for renewal on a form prescribed by the board;

(b) Evidence that the licensee has, during the biennial period immediately preceding application, completed the continuing education requirements specified in s. NHA 3.02;

(c) The fee required under s. 440.03 (9) (a), Stats.

(2) FAILURE TO RENEW. A licensee who fails to meet the requirements of sub. (1) by the renewal date shall cease and desist from acting as a nursing home administrator. A licensee who has failed to meet the requirements under sub. (1) may renew and obtain a new certificate of registration by satisfying the following requirements:

(a) If applying less than 5 years after the renewal date, submitting to the board:

1. An application for renewal on a form prescribed by the board;

2. An affidavit that the licensee has not acted as a nursing home administrator after July 1 of the biennial period for which the licensee was last currently registered;

3. Evidence that the licensee has, within the 24 months immediately preceding application, completed 24 contact hours in approved continuing education programs as required under s. NHA 3.02; and,

4. The required renewal fees under ss. 440.03 (9) (a), and 440.08 (3), Stats.

(b) If applying 5 years or more after the renewal date, satisfying the requirements in par. (a) and submitting proof of:

1. Successful completion of educational coursework required by the board to ensure protection of the public health, safety and welfare; and,

2. Successful completion of an examination required by the board to ensure protection of the public health, safety and welfare.

(3) REINSTATEMENT. (a) A licensee whose license has unmet disciplinary requirements, such as a suspension, which has not been renewed within 5 years after the renewal date or whose license has been surrendered or revoked may apply for reinstatement of the license by submitting all of the following:

1. Evidence of completion of requirements in s. NHA 4.02 (2) (b) if the licensee has not held an active Wisconsin license within the last 5 years.

2. Evidence of completion of disciplinary requirements, if applicable.

3. Evidence of rehabilitation or change in circumstances, warranting reinstatement of license.

(b) A licensee whose license has been revoked may not apply for reinstatement of the license until 1 year after revocation of the license in accordance with s. 456.11 (2), Stats.

(c) A licensee may not practice as a nursing home administrator prior to being granted reinstatement of a license.

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80; correction in (2) (intro.) made under s. 13.93 (2m) (b) 4., Stats., Register, September, 1989, No. 405; am. (3) (c), Register, June, 1991, No. 426, eff. 7-1-91; am. (1) (c), r. and recr. (2), r. (3), renum. (4) to be (3), Register, October, 1993, No. 454, eff. 11-1-93; renum. (3) to be NHA 4.05, Register, September, 1997, No. 501, eff. 10-1-97; CR 14-078: am. (1) (c), (2) (a) 4., cr. (3) Register November 2015 No. 719, eff. 12-1-15.

NHA 4.03 Reciprocity. The board at its discretion and otherwise subject to laws pertaining to licensure of nursing home administrators may grant a license as a nursing home administrator to an applicant who holds a current license issued by the proper authorities in any other jurisdiction, which has not been revoked or suspended, upon payment of the fee required under s. 440.05 (2), Stats., and submission of evidence satisfactory to the board that the applicant has satisfied all of the following:

(1) Has a bachelor's degree in any field that was obtained from an accredited college or university or holds a current certification as a nursing home administrator granted by the American college of health care administrators.

Note: The American College of Health Care Administrators may be contacted at 1800 Diagonal Road, Suite 355, Alexandria, VA 22314.

(2) Has practiced as a nursing home administrator for at least 2,000 hours in any consecutive 3-year period within the 5-year period immediately preceding the date of application for licensure.

(3) Has passed the state law examination required for licensure under s. NHA 2.01 (3) (b).

(4) Does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, Stats. An applicant who has a pending criminal charge or has a conviction record shall provide the board with all related information necessary for the board to determine whether the circumstances of the pending charge or conviction substantially relate to the practice of nursing home administration.

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80; am. (intro.), (1) and (3), r. and recr. (2), Register, May, 1986, No. 365, eff. 6-1-86; am. (3), Register, June, 1991, No. 426, eff. 7-1-91; am. (intro.), (2) and (3), cr. (4), Register, September,

1997, No. 501, eff. 10-1-97; am. (intro.) and (2) to (4), r. and recr. (1), Register, January, 2000, No. 529, eff. 2-1-00.

NHA 4.04 Accommodations relating to a disability.

A qualified applicant with a disability shall be provided with reasonable accommodations requested in connection with the completion of an application for licensure submitted under s. NHA 4.01 or 4.03.

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80; r. and recr., Register, September, 1997, No. 501, eff. 10-1-97.

NHA 4.05 Display of license and current registration certificate. The license and certificate of biennial registration shall be displayed in a prominent place by every person licensed and currently registered by the board.

History: Renum. from NHA 4.02 (3), Register, September, 1997, No. 501, eff. 10-1-97.

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Laura Smith, Bureau Assistant, on behalf of Tom Ryan, Executive Director		2) Date When Request Submitted: 2/21/18 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Nursing Home Administrator Examining Board			
4) Meeting Date: 3/1/2018	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? 2017 Wisconsin Act 59 (enacted in State Budget Bill)	
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 (<u>Fill out Board Appearance Request</u>) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: SECTION 9139. Nonstatutory provisions; Safety and Professional Services. (17w) OCCUPATIONAL LICENSE STUDY. (a) <i>Definitions.</i> In this subsection: 1. "Department" means the department of safety and professional services. 2. "Occupational license" means any of the following: a. A license, permit, certification, registration, or other approval granted under section 167.10 (6m) or chapters 101, 145, or 440 to 480 of the statutes. b. A license, permit, certification, registration, or other approval not included under subdivision 2. a. if granted to a person by this state in order that the person may engage in a profession, occupation, or trade in this state or in order that the person may use one or more titles in association with his or her profession, occupation, or trade. (b) <i>Report.</i> No later than December 31, 2018, the department shall submit a report to the governor and the chief clerk of each house of the legislature for distribution to the legislature under section 13.172 (2) of the statutes. The report shall include the department's recommendations for the elimination of occupational licenses based on all of the following: 1. The department's evaluation of whether the unregulated practice of the profession, occupation, or trade can clearly harm or endanger the health, safety, or welfare of the public, and whether the potential for the harm is recognizable and not remote or speculative. 2. The department's evaluation of whether the public reasonably benefits from the occupational license requirement. 3. The department's evaluation of whether the public can be effectively protected by any means other than requiring an occupational license. 4. The department's analysis of whether licensure requirements for the regulated profession, occupation, or trade exist in other states. 5. The department's estimate of the number of individuals or entities that are affected by the occupational license requirement. 6. The department's estimate of the total financial burden imposed on individuals or entities as a result of the occupational licensure requirement, including education or training costs, examination fees, private credential			

fees, occupational license fees imposed by the state, and other costs individuals or entities incur in order to obtain the required occupational license.

7. Any statement or analysis provided by the agency or board administering the occupational license.

8. The department's evaluation of the tangible or intangible barriers people may face in obtaining an occupational license.

SECTION 1904. 440.03 (4m) of the statutes is created to read:

440.03 (4m) Except as otherwise permitted in chs. 440 to 480, the department may require a credential holder to submit proof of the continuing education programs or courses that he or she has completed only if a complaint is made against the credential holder.

11)	Authorization	
Signature of person making this request		Date
<hr/>		
Supervisor (if required)		Date
<hr/>		
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.



[◀ Back to Upcoming Events](#)

NAB Annual Meeting

Share/Print Page:

June 6 - June 8, 2018

Our 2018 Annual Meeting will be held June 6-8 in Long Beach, California. Registration and meeting details will be available in mid-March.

Our June Annual Meetings bring together state licensing board members, board executives, members of academia, continuing education providers and subject-matter experts in long term care from across the country. We discuss strategic planning, professional practice analysis, exam development and other issues important to our profession.