## MAINE STATE LEGISLATURE

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## 126th MAINE LEGISLATURE

## **FIRST REGULAR SESSION-2013**

**Legislative Document** 

No. 555

H.P. 374

House of Representatives, February 19, 2013

Resolve, Directing the Nursing Home Administrators Licensing Board To Amend Its Rules To Permit Certain Registered Nurses To Serve as Administrators of Nursing Facilities and To Change Provisions Governing Continuing Education Requirements

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

Millient M. Macfarland MILLICENT M. MacFARLAND Clerk

Presented by Representative SANDERSON of Chelsea.
Cosponsored by Senator HAMPER of Oxford and
Representatives: GATTINE of Westbrook, HARVELL of Farmington, MALABY of Hancock,
PETERSON of Rumford, SIROCKI of Scarborough, Senator: CUSHING of Penobscot.

## Sec. 1. Nursing Home Administrators Licensing Board to amend rules. Resolved: That the Department of Professional and Financial Regulation, Nursing Home Administrators Licensing Board, as established in the Maine Revised Statutes, Title 5, section 12004-A, subsection 23, shall amend its rules to:

- 1. Permit a licensed registered nurse who has at least 5 years' experience as a director of nursing at a licensed nursing facility to be provisionally licensed as a nursing home administrator for up to 5 years, if that licensed registered nurse:
  - A. Provides evidence satisfactory to the board that the licensed registered nurse is pursuing a course of action to fulfill the educational requirements in the board's rules and is reasonably likely to fulfill these requirements within this 5-year time frame; and
  - B. Has fulfilled all other applicable requirements for licensure established by the board, including without limitation a satisfactory score on the licensing examination prescribed by the board and satisfactory completion of the administrator-in-training program required by the board; and
- 2. Permit a licensed nursing home administrator to obtain as many continuing education credits as are offered at a conference or program of education with no limit on the total number of hours of course work actually completed as long as each hour has been approved for credit in accordance with the board's process for administering continuing education credits. The rules must require the board to provide a determination regarding the approval and allowability of continuing education credits within 30 days of the filing of the required information. The rules must allow for board approval of online seminars for continuing education credits. The rules must provide that a licensed nursing home administrator who is denied approval of continuing education credits by board staff may seek review of the denial by the board.

Rules adopted pursuant to this resolve are routine technical rules as described in Title 5, chapter 375, subchapter 2-A.

28 SUMMARY

 This resolve directs the Department of Professional and Financial Regulation, Nursing Home Administrators Licensing Board to amend its rules regarding educational requirements for the licensing of administrators and continuing education requirements.

First, it permits a licensed registered nurse who has at least 5 years' experience as a director of nursing at a licensed nursing facility to be provisionally licensed as a nursing home administrator for up to 5 years, if that licensed registered nurse provides evidence satisfactory to the board that the licensed registered nurse is pursuing a course of action to fulfill the educational requirements in the board's rules and is reasonably likely to fulfill these requirements within this 5-year time frame.

Second, it removes the limit currently placed on the number of continuing education credits that a licensed nursing home administrator may earn at a conference or program as long as each credit separately qualifies under the board's standards for awarding credit. It

provides for determinations regarding the approval and allowability of continuing education credits within 30 days of the filing of required information. The board may approve online seminars for continuing education credits. A licensed nursing home administrator who is denied approval of continuing education credits by board staff may seek review of such a denial by the board.