

55-01-01-01. Organization and functions of the state board of examiners for nursing home administrators.

1. **History.** The 1969 legislative assembly created the board of examiners for nursing home administrators by legislation, codified as North Dakota Century Code chapter 43-34. This chapter establishes the state board of examiners for nursing home administrators. The responsibility of the board is to develop and enforce high standards for nursing home administrators. The board's duties and powers are prescribed by law.
2. **Board membership.** The board consists of nine members. Seven are appointed by the governor: one physician, one hospital administrator, one nurse, and four nursing home administrators. The remaining two members of the board are the state health officer and the executive director of the department of human services or their designees.
3. **Officers.** The board elects a chairperson, a vice chairperson, and a secretary-treasurer from its membership.
4. **Inquiries.** Inquiries regarding the board may be addressed to:

Executive ~~Secretary~~ Director
State Board of Examiners for
Nursing Home Administrators
~~120 West Thayer Avenue~~ 1900 North 11th Street
Bismarck, North Dakota 58501

History: Amended effective October 1, 1979; November 1, 1981; August 1, 1983; June 1, 1985; January 1, 1992; _____.

General Authority: NDCC ~~28-32-01.1~~ 28-32-02

Law Implemented: NDCC ~~28-32-02.1~~ 28-32-02

**CHAPTER 55-02-01
GENERAL PROVISIONS**

Section	
55-02-01-01	Source of Authority
55-02-01-02	General Definitions
55-02-01-03	Board Meetings
55-02-01-04	Board Duties [Repealed]
55-02-01-05	Duties of Board of Officers
55-02-01-06	Administration of Examinations
55-02-01-07	Requirements for Initial Licensure
55-02-01-08	Application for Initial Licensure
55-02-01-09	Denial of Initial Licensure
55-02-01-10	Examination <u>Examinations</u>
55-02-01-11	Grading Examinations
55-02-01-12	Continuing Education
55-02-01-13	Program of Study in Accredited Educational Institutions [Repealed]
55-02-01-14	Certification of Program of Study for Federal Financial Participation [Repealed]
55-02-01-15	Licensure by Endorsement
55-02-01-15.1	Emergency License
55-02-01-16	Registration and Renewal of Licenses
55-02-01-17	Denial, Suspension, and Revocation of Licenses
55-02-01-18	Complaint Procedures
55-02-01-19	Conduct of Hearings [Repealed]
55-02-01-20	Endorsement [Repealed]
55-02-01-21	Inactive License Status
55-02-01-22	Display of Permits or Licenses [Repealed]
55-02-01-23	Duplicate Licenses <u>[Repealed]</u>
55-02-01-24	Applicability - Legal Effect - Severability [Repealed]

55-02-01-05. Duties of board of officers.

1. The chairperson shall preside at all meetings of the board, and shall sign all official documents of the board.
2. In the absence of the chairperson, the vice chairperson shall preside at meetings, and perform all duties usually performed by the chairperson.
3. The secretary-treasurer shall keep a full and complete record of the minutes of the meetings, maintain records pertaining to licensees and registrants, maintain financial records approved by the board and the fiscal authorities of the state, and make payments with the approval of the

board. Any functions of the secretary-treasurer may be delegated by the board to the executive secretary director.

History: Amended effective February 1, 1993; June 1, 1996; December 1, 2002;_____.

General Authority: NDCC 43-34-07, 43-34-09

Law Implemented: NDCC 43-34-07, 43-34-09

55-02-01-07. Requirements for initial licensure. A person applying for initial licensure must meet the following requirements:

1. The person is at least eighteen years of age ~~and of good moral character~~.
2. The person has a baccalaureate degree from an accredited college or university, or has an associate degree from an accredited college or university and has practiced as a licensed nursing home administrator in any jurisdiction for at least five of the last six years.
3. The person has completed a board-approved administrator-in-training program, practiced as a licensed nursing home administrator in any jurisdiction for at least two years preceding the application, or is certified by the American college of health care administrators as a nursing home administrator.
4. The person has passed ~~or passes the required examination within one year of making an application~~ examinations required by section 55-02-01-10.

History: Amended effective July 1, 1979; February 1, 1993; June 1, 1996; December 1, 1998; December 1, 2002;_____.

General Authority: NDCC 43-34-03, 43-34-04, 43-34-08, 43-34-09

Law Implemented: NDCC 43-34-03, 43-34-09, 43-34-12

55-02-01-08. Application for initial licensure. An applicant for initial licensure as a nursing home administrator must make application in writing on forms provided by the board, furnish evidence satisfactory to the board that the applicant meets the licensure requirements as provided for in section 55-02-01-07, pay ~~an application a~~ fee of one two hundred fifty dollars, and pay the cost charged by the national association of boards of examiners of long-term care administrators for the examination, and submit to a statewide and nationwide criminal history record check. All costs associated with the criminal history record check is the responsibility of the applicant. An applicant for initial licensure must submit two references from individuals engaged in business, professional, or religious work.

History: Amended effective February 1, 1993; June 1, 1996; December 1, 1998;

December 1, 2002;_____.

General Authority: NDCC 43-34-03, 43-34-04, 43-34-05, 43-34-09

Law Implemented: NDCC 43-34-03, 43-34-03.2, 43-34-05, 43-34-09

55-02-01-10. Examination Examinations.

1. Each person applying for licensure as a nursing home administrator, except a person applying for emergency licensure or licensure by endorsement, is required to pass an examination provided by the national association of boards of examiners of long-term care administrators.
2. Each person applying for licensure as a nursing home administrator, except a person applying for emergency licensure, is required to pass a state laws and rules examination administered by the board.

History: Amended effective February 1, 1993; June 1, 1996; December 1, 1998; December 1, 2002;_____.

General Authority: NDCC 43-34-03, 43-34-04, 43-34-09

Law Implemented: NDCC 43-34-03, 43-34-09

55-02-01-11. Grading examinations.

1. A passing score for ~~a written~~ the examination required by subsection 1 of section 55-02-01-10 shall be the passing score established by the national association of boards of examiners of long-term care administrators.
2. A passing score for the examination required by subsection 2 of section 55-02-01-10 shall be the passing score established by the board.

History: Amended effective July 1, 1981; June 1, 1983; February 1, 1993; June 1, 1996; December 1, 2002;_____.

General Authority: NDCC 43-34-03, 43-34-04, 43-34-09

Law Implemented: NDCC 43-34-03, 43-34-09

55-02-01-15. Licensure by endorsement. Upon application, the board may issue a license by endorsement to any person who:

1. Pays ~~an application~~ a fee of one two hundred fifty dollars.
2. Holds a current license in good standing from another jurisdiction that imposes requirements for obtaining a license which are at least as ~~stringent as~~ substantially equivalent to the requirements imposed in this state at the time of application.

3. Passes the examination required by subsection 2 of section 55-02-01-10.
4. Submits to a statewide and nationwide criminal history record check. All costs associated with the criminal history record check is the responsibility of the applicant.

History: Amended effective February 1, 1993; June 1, 1996; December 1, 1998; December 1, 2002; _____.

General Authority: NDCC 43-34-03, 43-34-04, 43-34-09

Law Implemented: NDCC 43-34-03, 43-34-03.2, 43-34-05, 43-34-09, 43-34-12

55-02-01-15.1. Emergency license. Upon application, the board may issue an emergency license to any person who:

1. Pays ~~an application a~~ fee of ~~one~~ two hundred fifty dollars.
2. Meets the requirements of subsection 1 of section 55-02-01-07.
3. Submits to a statewide and nationwide criminal history record check. All costs associated with the criminal history record check is the responsibility of the applicant.
4. Will be supervised by a preceptor at the expense of the nursing home. Supervision requires communication between the preceptor and the licensee at least twice in each week and at least one visit in each month by the preceptor to the nursing home where the licensee is employed. The preceptor shall make monthly written reports to the board.
4. 5. Meets any other requirements that the board finds necessary.

History: Effective December 1, 2002; amended effective _____.

General Authority: NDCC 43-34-04, 43-34-05, 43-34-09

Law Implemented: NDCC 43-34-03.2, 43-34-05, 43-34-09, 43-34-11

55-02-01-16. Registration and renewal of licenses.

1. Any person who holds a license issued by the board shall be registered with the board. The license expires on the thirty-first day of December in the year of its issuance and is renewable annually upon payment of the license fee. The board shall transmit renewal forms to all licensees whose licenses expire on December thirty-first.
2. The licensee shall pay an annual renewal fee of ~~one~~ two hundred fifty dollars.

3. An applicant for renewal shall provide documentation of completion of the continuing education required by section 55-02-01-12.
4. The board shall maintain a register of all licensed nursing home administrators. The board shall maintain a complete file of such pertinent information as may be deemed necessary.
5. A licensee who does not meet the requirement for renewal by December thirty-first may renew the license by meeting the requirements and paying a late renewal fee in the amount of twenty-five dollars per month for each month following December thirty-first. If the requirements for renewal are not met within six months of expiration, the license shall not be renewed. If the license is not renewed, the individual must apply for and meet the requirements for initial licensure, including passing the examinations required by section 55-02-01-10 within one year of making the application.

History: Amended effective February 1, 1993; June 1, 1996; December 1, 1998; December 1, 2002; November 1, 2005; _____.

General Authority: NDCC 43-34-04, 43-34-05, 43-34-09

Law Implemented: NDCC 43-34-05, 43-34-09, 43-34-10

55-02-01-23. Duplicate licenses. ~~The board may issue, for a fee, a duplicate license upon written request by the licensee.~~ Repealed effective _____.

~~**History:** Amended effective February 1, 1993.~~

~~**General Authority:** NDCC 43-34-09~~

~~**Law Implemented:** NDCC 43-34-09~~

e:\dixie\cl\peterson\boards\nurse-hm.adm\article 55.docx