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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

172 NAC 106

TITLE 172 PROFESSIONAL AND OCCUPATIONAL LICENSURE

CHAPTER 106 NURSING HOME ADMINISTRATORS

001. SCOPE AND AUTHORITY. This chapter govern the credentialing of Nursing Home Administrators as defined by Nebraska Revised Statute (Neb. Rev. Stat.) §§ 38-2401 to 38-2425 and the Uniform Credentialing Act.

002. DEFINITIONS. Definitions are found in the Nursing Home Administrator Practice Act, the Uniform Credentialing Act, 172 Nebraska Administrative Code (NAC) 10, and the following apply to this chapter.

002.01 DEGREE. A degree is an academic title conferred by universities and colleges as an indication of the completion of a course of study from an accredited institution, or approved as equivalent to a U.S. degree by a foreign educational credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES).

002.02 TRAINEE. A trainee is a person in a learner role who is in an administrator-in-training or mentoring program and is supervised by a Nebraska certified preceptor.

002.03 WRITTEN EXAMINATION. The written examination is the National Association of Long Term Care Administrator Boards (NAB) licensing examination.

003. NURSING HOME ADMINISTRATOR LICENSE. Applicants for licensure must meet the following requirements.

003.01 INITIAL LICENSE. To obtain a license, an individual must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the licensing requirements of Neb. Rev. Stat. § 38-2419, 172 NAC 10, and this chapter.

003.01(A) EDUCATION. An applicant must submit an official transcript verifying the degree received by the applicant.

003.01(B) APPLICATION METHODS. An applicant may apply based on one of the following:

- (i) An associate degree and core education set out in 172 NAC 106-007.
- (ii) An associate degree, core education set out in 172 NAC 106-007, and previous work experience defined in Neb. Rev. Stat. § 38-2415.
- (iii) A degree or an advanced degree as defined in Neb. Rev. Stat. § 38-2409.

- (iv) A nursing degree as defined in Neb. Rev. Stat. § 38-2413 and previous work experience in health care administration as defined in Neb. Rev. Stat. § 38-2416.
- (v) A degree or an advanced degree in health care as defined in Neb. Rev. Stat. § 38-2410 and previous work experience in health care administration as defined in Neb. Rev. Stat. § 38-2416.
- (vi) A degree from a program accredited by the National Association of Long Term Care Administrator Boards for Nursing Home Administrators meets the requirements of (i) through (v).

003.01(C) CORE EDUCATION. If applicable, documentation of completion of the core education set out in 172 NAC 106-007 must be submitted. Evidence of core education must include:

- (i) Name of the course and course number or continuing education provider;
- (ii) Number of hours completed;
- (iii) Course syllabus or continuing education course description or similar documentation; and
- (iv) Documentation of completing the education.

003.01(D) ADMINISTRATOR-IN-TRAINING PROGRAM OR MENTORING PROGRAM. If applicable, documentation of completion of an administrator-in-training or mentoring training program.

003.01(E) PREVIOUS WORK EXPERIENCE. If applicable, documentation of previous work experience as defined in Neb. Rev. Stat. §§ 38-2415 or 38-2416 must be submitted. Documentation must include:

- (i) Name of employer and name of facility;
- (ii) Address of facility;
- (iii) Position held by applicant;
- (iv) Dates of employment; and
- (v) Brief statement of experience.

003.01(F) EXAMINATION. Evidence of receiving a scaled score of at least 113 on the written examination must be submitted. If the written examination was taken in a state other than Nebraska, an official score report must be sent directly from the testing agency or state in which the examination was administered.

003.02. RECIPROCITY. To obtain a license by reciprocity, an individual must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the licensing requirements of Neb. Rev. Stat. § 38-2421, 172 NAC 10, and this chapter, as applicable.

004. ADMINISTRATOR FOR A FACILITY CARING FOR PERSONS WITH HEAD INJURIES AND ASSOCIATED DISORDERS. To obtain a license, an individual must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the licensing requirements of Neb. Rev. Stat. § 38-2426, 172 NAC 10, and this chapter.

004.01 LICENSE REQUIREMENTS AND DOCUMENTATION. Applicants must submit:

004.01(A) EXPERIENCE. Documentation verifying at least 4 years of experience working with persons with head injuries or severe physical disabilities, and at least 2 years must be spent in an administrative capacity. The documentation must include:

- (i) A brief description of the experience received working with persons with head injuries or severe physical disabilities and experience in an administrative capacity;
- (ii) Name of facility or institution in which experience was completed; and
- (iii) Duration of Experience.

004.01(B) LICENSE, CERTIFICATE, EDUCATION, OR ADDITIONAL EXPERIENCE. In addition to meeting the requirements of 004.01(A), documentation of one of the following:

- (i) A current license as a psychologist, physician, mental health practitioner, independent mental health practitioner, physical therapist, occupational therapist, or speech pathologist;
- (ii) A current certificate as a social worker or master social worker;
- (iii) An educator with at least a master's degree in education from an accredited college or university. An official transcript must be submitted as verification;
- (iv) An administrator or executive of a health care facility as defined in Neb. Rev. Stat. § 71-413 who is a member in good standing with an organization that offers voluntary certification for the purpose of demonstrating managerial knowledge and experience for health care managers; or
- (v) Have at least 8 years of experience working with persons with head injuries or severe physical disabilities, at least 5 spent in an administrative capacity in a facility operated primarily for caring for persons with head injuries or severe physical disabilities.

005. ADMINISTRATOR RESPONSIBLE FOR OVERSEEING MORE THAN ONE FACILITY. To obtain approval to oversee the operation of more than one facility, a nursing home administration must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the requirements of Neb. Rev. Stat. § 38-2419 and this chapter. The combined total number of beds for the facilities cannot exceed 200, the travel time and distance between the two facilities the farthest apart cannot exceed two hours by motor vehicle and 150 miles.

006. ADMINISTRATOR-IN-TRAINING PROGRAM AND MENTORING PROGRAM. To obtain a license, an individual must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the licensing requirements of Neb. Rev. Stat. § 38-2420, 172 NAC 10, and this chapter.

006.01 DIPLOMA OR DEGREE. The applicant must provide an official transcript verifying the date of the diploma or degree awarded or to be awarded.

006.02 CORE EDUCATION. Documentation of college or university course work or continuing education verifying completion of at least 3 coursework hours in 50% of the core educational areas set out in 172 NAC 106-008 or a degree from a program accredited by the National Association of Long Term Care Administrator Boards for Nursing Home Administrators.

006.03 TRAINING AGREEMENT. Documentation of the agreement between the certified preceptor and the applicant for at least 640 hours of training and experience, to be gained in not less than 4 months, and not less than 20 hours per week. If completed in less than 40 hours per week, but not less than 20 hours per week, the applicant must submit a proposed schedule of training to meet the administrator-in-training or mentoring period.

006.04 SUPERVISION. The training must occur in a Nebraska licensed nursing home or home for the aged or infirm, under the direct supervision of a Nebraska certified preceptor. If the applicant is completing a mentoring program, the certified preceptor is not required to be at the same facility during the period of supervision but must be available to assist with questions or issues as needed. The supervisor must meet with the mentoring trainee at least 1 time per month at the facility where the training is occurring.

007. CORE EDUCATION. If applicable, applicants must complete the following core educational requirements either through a college or university or as continuing education:

007.01 PATIENT CARE AND SERVICES. Coursework may include one of the following:

- (A) Aging;
- (B) Ancillary health services;
- (C) Developmental disabilities;
- (D) Disease process;
- (E) End of life care;
- (F) Environmental health and safety;
- (G) Food management;
- (H) Geriatrics or gerontology;
- (I) Health care delivery systems;
- (J) Medical terminology;
- (K) Nursing;
- (L) Nutrition;
- (M) Pharmacology;
- (N) Therapeutic recreation; or
- (O) Similar coursework to those listed above.

007.02 SOCIAL SERVICES. Coursework may include one of the following:

- (A) Case management;
- (B) Death and dying;
- (C) Developments in aging;

- (D) Mental health;
- (E) Psychology relating to aging;
- (F) Social gerontology, such as theories of aging, social aspects of aging, multi-cultural issues;
- (G) Social services, including Medicaid or Medicare;
- (H) Social work;
- (I) Sociology;
- (J) Spirituality, human development, or lifespan;
- (K) Therapeutic recreation; or
- (L) Similar coursework to those listed above.

007.03 FINANCIAL MANAGEMENT. Coursework may include one of the following:

- (A) Accounting, such as payroll, taxes, or general ledger;
- (B) Business management;
- (C) Financial planning;
- (D) Health care finance;
- (E) Management;
- (F) Office management or statistics; or
- (G) Similar course work to those listed above.

007.04 ADMINISTRATION, LEADERSHIP AND MANAGEMENT. Coursework may include one of the following:

- (A) Communication skills;
- (B) Health care information technology;
- (C) Law courses, such as public administration or business law;
- (D) Leadership skills;
- (E) Legal aspects of aging;
- (F) Marketing or public relations;
- (G) Management or organizational theory;
- (H) Organizational analysis;
- (I) Organizational development;
- (J) Personnel, human resources, or labor relations;
- (K) Purchasing or inventory control;
- (L) Quality management / quality improvement;
- (M) Strategic or financial planning; or
- (N) Similar coursework to those listed above.

007.05 RULES, REGULATIONS, AND ENVIRONMENTAL STANDARDS RELATING TO THE OPERATION OF A HEALTH CARE FACILITY. Coursework may include one of the following:

- (A) Ethics;
- (B) Health care regulations;
- (C) Labor laws;
- (D) Law;

- (E) Life or safety code;
- (F) National fire protection association and fire safety evaluation system;
- (G) Nursing home administrator regulations;
- (H) Nursing facility standards;
- (I) Occupational safety and health administration; or
- (J) Similar coursework to those listed above.

007.06 CORE EDUCATIONAL HOURS. Hours are calculated as follows:

- (A) 1 semester hour equals 1 coursework hour;
- (B) 1.5 quarter hour equals 1 coursework hour; and
- (C) 10 continuing education hours equals 1 coursework hour.

008. ADMINISTRATOR-IN-TRAINING OR MENTORING TRAINING REQUIREMENTS.

Applicants who are in an administrator-in-training or mentoring training program must meet the following training requirements.

008.01 TRAINING AREAS. The applicant must provide verification, on a form provided by the Department, showing completion of training in the following areas:

- (A) Leadership and Management;
- (B) Nutritional Services;
- (C) Environmental Services;
- (D) Nursing and Restorative Services;
- (E) Medical and Allied Health;
- (F) Medical Records and Health Information Systems;
- (G) Activities;
- (H) Social Services and Admissions;
- (I) Therapy Services;
- (J) Human Resources;
- (K) Financial Management; and
- (L) Rules, Regulations, and Standards.

008.02 CHANGE IN PRECEPTOR OR FACILITY. If the trainee has a change in preceptor or facility, the trainee must submit a complete application provided by the Department.

008.03 TRAINING COMPLETED IN ANOTHER STATE. Applicants who have completed a training program in another state must meet the same training areas set out in 172 NAC 106-008.01.

009. PROVISIONAL LICENSE AS A NURSING HOME ADMINISTRATOR. To obtain a provisional license, an individual must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the credentialing requirements of Neb. Rev. Stat. § 38-2423, 172 NAC 10, and this chapter.

009.01 APPLICATION. The applicant must provide the following:

- (A) Name of facility to be employed;
- (B) Address of facility;

- (C) Name of previous administrator of facility; and
- (D) Signed affidavit of designation of a provisional license, completed by the owner, governing body, or other appropriate authority of the nursing home or home for the aged or infirm which includes:
 - (i) Name of chairperson, governing body, or similar authority of the nursing home;
 - (ii) Name of applicant requesting a provisional license;
 - (iii) Name of previous administrator;
 - (iv) Proposed starting date; and
 - (v) Reason for request, such as death of previous administrator, medical emergency, unexpected resignation of the licensed administrator.

009.02 MENTORING TRAINEE AND PROVISIONAL LICENSEE. A person in a mentoring program may serve as the provisional licensee while completing the mentoring training program.

010. CERTIFIED PRECEPTOR. To obtain a preceptor certificate, an individual must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the credentialing requirements of Neb. Rev. Stat. §§ 38-2420, 172 NAC 10, and this chapter.

010.01 REQUIREMENTS AND DOCUMENTATION. Applicants must submit:

010.01(A) LICENSE. Evidence of holding a current active Nebraska Nursing Home Administrators license.

010.01(B) EXPERIENCE. Documentation of having at least 3 years of experience as a Nursing Home Administrator in the 5 years immediately preceding the application.

010.01(C) TRAINING. Documentation of having completed a preceptor training course as set out in 172 NAC 011. This training must have been completed within 12 months immediately prior to the application.

010.01(D) DISCIPLINARY ACTION. Verification that the applicant has not had his or her nursing home administrator license disciplined, limited, suspended, or placed on probation during the 1 year immediately prior to the application for a preceptor certification. At least 1 year must have elapsed following completion of any disciplinary terms and conditions. If any of these actions are taken by the Department during the trainee supervisory period, the preceptor must terminate the supervision immediately and notify the Department.

011. PRECEPTOR INITIAL TRAINING PROGRAM REQUIREMENTS. An approved preceptor training course must be at least 5 hours in duration. The following are acceptable training programs:

- (A) The National Association of Long Term Care Administrator Boards' preceptor on-line training course; or
- (B) A training program, which includes the following training areas:
 - (i) At least 1 hour in preceptor expectations and administrator licensing regulations; and
 - (ii) At least 1 hour in 4 of the following areas:
 - (1) Leadership and team building;
 - (2) Communication;
 - (3) Generational learning styles;
 - (4) Adult learning;
 - (5) Coaching and mentoring; or
 - (6) Fostering professionalism.

012. RENEWAL, WAIVER OF CONTINUING EDUCATION, AND INACTIVE STATUS. The applicant must meet the requirements set out in 172 NAC 10 and this chapter. Licenses expire as follows:

- (A) Nursing home administrator license's expire December 31 of each even-numbered year.
- (B) Preceptor certification's expire December 31 of every 4th even-numbered year.

013. CONTINUING EDUCATION. The following continuing education requirements apply to certified preceptors and nursing home administrators.

013.01 CERTIFIED PRECEPTOR. Individuals holding an active preceptor certificate in the State of Nebraska, must complete at least 5 hours of approved continuing education, with at least 1 hour in 5 of the 6 topic areas set out in 172 NAC 106-011(B)(ii)(1-6) during the 48-month period prior to the expiration date.

013.01(A) SUPERVISING A TRAINEE. Certified preceptors who supervise a trainee may obtain continuing education as follows:

- (i) If a preceptor supervises 1 trainee during the renewal period, this supervision meets the training requirements set out in 172 NAC 106-013.01 and 8 hours can be applied towards the renewal of the individual's nursing home administrator license; and
- (ii) If a preceptor supervises 2 trainees during the renewal period, 16 hours of continuing education can be applied towards the renewal of the individual's nursing home administrator license.

013.02 NURSING HOME ADMINISTRATOR. Individuals holding an active nursing home administrator license in the State of Nebraska, must complete 50 hours of acceptable continuing education hours during the 24-month period prior to the expiration date.

013.02(A) CONTINUING EDUCATION HOUR CALCULATIONS. The following provides the hour calculations.

013.02(A)(i) ACADEMIC CREDIT. A maximum of 25 hours of continuing education may be obtained through academic credit; hours are calculated as follows:

- (1) 1 semester hour of academic credit equals 5 continuing education hours; and
- (2) 1 quarter hour of academic credit equals 3 continuing education hours.

013.02(A)(ii) HOME STUDY. A maximum of 25 hours of continuing education may be obtained through home study programs.

013.02(A)(iii) PRESENTER HOURS. A presenter may receive credit for only the initial presentation during a renewal period. Credit will not be given for subsequent presentations of the same program.

013.02(A)(iv) CONTINUING EDUCATION PROGRAMS. 60 minutes of participation equals 1 continuing education hour.

013.02(B) ACCEPTABLE CONTINUING EDUCATION TOPIC AREAS. In order for a continuing education program to be accepted, the program must include one or a combination of the following topic areas:

- (i) Patient care and services;
- (ii) Social services;
- (iii) Financial management;
- (iv) Leadership and management; and
- (v) Rules, regulations, and environmental standards.

014. UNPROFESSIONAL CONDUCT. Unprofessional conduct is set out in Neb. Rev. Stat. § 38-179 and includes the following:

- (A) Failure to utilize appropriate judgment in administering safe nursing home practices.
- (B) Failure to exercise competence in carrying out nursing home administration.
- (C) Failure to follow policies or procedures implemented in the practice situation to safeguard patient or resident care.
- (D) Failure to safeguard the patient's or resident's dignity and right to privacy.
- (E) Violating the confidentiality of information or knowledge concerning the patient or resident.
- (F) Falsifying patient or resident records.
- (G) Misappropriation of medications, supplies or personal items of the patient or resident or facility.
- (H) Committing any act which endangers patient or resident welfare or safety.
- (I) Failure to exercise appropriate supervision over persons who are authorized to practice only under the supervision of the licensed professional.
- (J) Leaving employment, without notice or making arrangements for coverage, when a resident of the employing facility is at risk for harm.

015. REINSTATEMENT. The applicant must meet the requirements set out in 172 NAC 10.

016. FEES. Fees are set out in 172 NAC 2.