

Idaho Board of Examiners of Nursing Home Administrators

Board/Commission Members:

- Joshua R. Thompson, NHA, Pocatello – Chair
- Cathy Hart, Ombudsman, Boise – Ombudsman
- John H. Williams, NHA, Malad City
- Mary E. Leonard, Boise – Public Member
- Zendi F. Meharry, RN, NHA, Emmett

Board/Commission Composition: The Board consists of five (5) members: two (2) public or private licensed nursing home administrators; one (1) member from any other profession, agency, or institution concerned with the care of chronically ill and infirm patients; one (1) licensed nurse from the nursing profession; and one (1) public member. No more than two (2) of the members of the Board shall be officials or full-time employees of state or local governments, except that they may be administrators of publicly owned nursing homes. Board members serve a term of three (3) years. [Idaho Code § 54-1603](#).

Operating costs per licensee: \$220.72. This number represents the dollar amount required annually to serve each applicant or licensee based on the average number of licensees and the average expenditures since Fiscal Year 2014. This includes all administrative, fiscal, legal, and investigative services.

Total number of current licensees in Idaho on May 19, 2018: **182**.

For the Idaho Board of Examiners of Nursing Home Administrators, the **shortest time** from complete application to issuing a license was the **same day**. The **longest time** from complete application to issuing a license was **27 days**. Of all licenses, **64 percent** were issued the **same day**. The **average time** from complete application to issuing a license was **3.4 days**. The Board issued **11 licenses** between May 19, 2017 and May 19, 2018.

Note: All Board meetings are subject to Idaho's Open Meeting Law. The law requires a minimum of five (5) calendar days' notice for regular meetings, and a forty-eight (48) hour notice for the agenda. Special meetings require twenty-four (24) hour meeting and agenda notice. [Idaho Code § 74-204](#)

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A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

		Statute Title 54, Section 16	Rule IDAPA 24.09.01	*Policy	Application	Basis to Deny Issuance or Renewal	Fees
Nursing Home Administrator	Issuance for Initial License	I.C. § 54-1605 I.C. § 54-1609	24.09.01.100	*	Application Application	I.C. § 54-1612 I.C. § 67-2614	\$200 Application Fee \$200 License Fee \$200 Endorsement Fee
	Renewal Requirements	I.C. § 54-1608	24.09.01.200	*		I.C. § 54-1612 I.C. § 67-2614	\$200 Renewal Fee
Nursing Home Administrator Designee	Issuance for Initial License	I.C. § 54-1602	24.09.01.450	*	Application	I.C. § 54-1612 I.C. § 67-2614	\$200 Application Fee
	Renewal Requirements	N/A	N/A	*		I.C. § 54-1612 I.C. § 67-2614	N/A
Administrator in Training	Issuance for Initial License	I.C. § 54-1610	24.09.01.400	*	Application Preceptor Agreement	I.C. § 54-1612 I.C. § 67-2614	\$200 Application Fee \$100 AIT Fee
	Renewal Requirements	N/A	N/A	*		I.C. § 54-1612 I.C. § 67-2614	

**All of the Board's requirements for licensure and renewals are in statute or rule. The Board does not have any requirements in policy.*

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		Statute Title 54, Section 16	Rule IDAPA 24.09.01	*Policy	Application	Basis to Deny Issuance or Renewal	Fees
Temporary Permit	Issuance for Initial License	N/A	24.09.01.500	*	N/A	I.C. § 54-1612 I.C. § 67-2614	\$100 Temporary Permit Fee
	Renewal Requirements	N/A	N/A	*		I.C. § 54-1612 I.C. § 67-2614	N/A

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B. Applications and Renewals Denied, May 19, 2017-May 19, 2018

Refusal to Issue Initial License [Total Number: 1]

	Basis in Statute or Rule	Summary of Factual Basis
1	IDAPA 24.09.01.400	Applicant did not meet Administrator in Training requirements. This application was later approved (6/1/2018) after the applicant submitted additional information to the Board.

Refusal to Renew License [Total Number:0]

	Basis in Statute or Rule	Summary of Factual Basis
	None	

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C. Disciplinary Actions for the Last Five (5) Years**

The Idaho Board of Examiners of Nursing Home Administrators received **43 complaints** from Fiscal Year 2013 through May 19, 2018. During this time frame, **27 complaints were closed** by the Board with no disciplinary action; **7 resulted in disciplinary action****; **7 remained under investigation**; and **2 were awaiting Board determination**.

***The Board did not take any disciplinary action between May 19, 2017 and May 19, 2018. Cases are not always closed within the same fiscal year they are opened, and sometimes multiple complaints are included in one disciplinary action. The Board's full [disciplinary action information](#) is available online.*

Case No	Date of Final Action	Action Taken	Statutory Basis	Summary of Factual Basis
None				

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D. Changes or Attempted Changes in Last Five (5) Years to Eliminate Barriers to Entry

Law and Rule

Session	Legislation or Rule	Summary
2018	House Bill 409	<p>Background: The Board appointed a subcommittee to work with the Residential Care Administrators Board and the Idaho Health Care Association on several issues. This bill resulted from those discussions and the Committee agreed to have the Association carry the legislation since they operate under different timelines for submitting legislation. The legislation reduces the training requirements to become a nursing home administrator from the current one-year requirement to one thousand hours (approximately six months).</p> <p>Impact: This legislation reflects national standards and will assist with portability and with getting people to work sooner as licensed administrators.</p>
2018	Temporary/Proposed Rule	The Board submitted a temporary/proposed rule to implement House Bill 409. The rule reduces from one year to 1,000 hours (approximately 6 months) the training requirement to become a nursing home administrator.
2015	Docket No. 24-0901-1401	The fees had not been changed since 2002. In 2015, the Board proposed and the legislature approved a fee increase to help cover operating costs.

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Additional Barriers Eliminate/Opportunities Provided

Date	Barriers/Opportunities	Summary
2017	Implemented Idaho Code for military service and added it to the Board's website	<p>I.C. § 67-2620 For military service members and veterans, the Board added to its website a link to a law that says the Board may accept military training and experience toward qualification for licensure. The law states that professional and occupational licensing boards may accept military education, training, and experience toward meeting the qualifications for a license, certification or registration. Boards may also expedite applications, including military spouse applications.</p> <p>I.C. § 67-2602A Additionally, if a licensee already holds an active Idaho license and are on active duty in the United States Armed Forces, that license will remain active without renewing it for six (6) months following discharge from active duty. The license shall remain in good standing without the necessity of renewal and during said period the same shall not be cancelled, suspended or revoked.</p>
2015	I.C. § 67-2614	<p>This change allows boards to use the law to set its reinstatement fee, or to set a reinstatement fee by rule. It eliminates the requirement that, in addition to the reinstatement fee, the licensee has to include payment of the license fees for all of the years the license has been expired. It also clarifies the continuing education required to reinstate a license or registration.</p> <p>Impact: Those whose licenses expired within the last five (5) years had to pay licensure fees for each year they were expired. Anyone whose license had been expired for more than five (5) years would have to apply as a new applicant. This law change reduces barriers to reentry in two ways. For those whose licenses have been expired for less than five (5) years, it eliminates the requirement to pay licensure fees for each year the license was expired. For those whose licenses have been expired for more than five (5) years, it allows the Board to consider education, supervised practice, examination or practice in another jurisdiction in determining the person's competency when reviewing applications.</p>

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Additional Barriers Eliminate/Opportunities Provided (continued)

Date	Barriers/Opportunities	Summary
1996	I. C. § 59-509 (f-1)	This bill removes members of the Idaho Board of Examiners of Nursing Home Administrators from the Public Employee Retirement System of Idaho (PERSI) by changing the payment they receive from compensation to an honorarium under I. C. § 59-509 (f-1) .

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E. Assessment of Public Interest

The Idaho Board of Nursing Home Administrators' mission is to help protect the health, safety and welfare of the public through the licensure and regulation of nursing home administrators in Idaho. Board member representation is diverse to include healthcare professionals, advocacy groups, nursing home administrators, and the public at large. Meetings are announced and open to the public.

The nursing home population is a vulnerable group of individuals that include those in post-acute care, the elderly, developmentally disabled, and those with chronic illness. The nursing home administrator is the gate-keeper to quality of care. Under oath, they certify that they will abide by the laws and rules governing the practice of nursing home administration in Idaho. It is essential to the well-being of each patient/resident for this board to monitor the integrity and competence of nursing home administrators. Duties of the board include but are not limited to validation of licensure upon entry to the state, oversight for the administrator in training program, investigation into the culpability when negative incidents occur at the nursing home, and validation of continuing education credits in maintaining a current skill set.

This board works in tandem with other agencies to ensure that each resident/patient who enters a nursing home has an opportunity for equal treatment, compassion, and person-centered care in an environment of safety and quality. Competent oversight is a critical component in meeting the needs of each resident/patient.

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F. Recommendations for Improvement, Modification, or Elimination of Requirements

1. Propose a rule to implement House Bill 409, passed during the 2018 Legislative Session. The rule reduces from one year to 1,000 hours (approximately 6 months) the training requirement to become a nursing home administrator.
2. Delete [IDAPA 24.0901.700](#), which is outdated.
3. Add a Rule for hardship for continuing education requirements.
4. Consider including an option to carry over a certain number of continuing education units to the following requirement cycle.
5. Review pre-litigation outlined in [Idaho Code § 54-1604\(4\)](#) and [Idaho Code § 6-23](#).

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Summary of Objectives

The Licensing Freedom Act asked that all of Idaho's professional licensing entities critically look at their processes, laws and rules. The goal is to document the elimination of barriers and make recommendations for future changes that improve, modify or eliminate laws and rules governing professional licensure. In response, the Idaho Board of Nursing Home Administrators respectfully submits the above report and summarizes with a checklist to ensure all of the objectives were met:

- ✓ Objectives of Executive Order
 - ✓ Protects the public: *by ensuring adequate education, training, and establishing standards necessary to manage the needs of those living in a nursing home.*
 - ✓ Portability of licensure: *Idaho Code [§ 54-1610](#) provides for portability. Furthermore, [House Bill 409](#), which passed in 2018, reflects the National Association of Long Term Care Administrator Boards (NAB) standards. This change allows greater portability for nursing home administrators moving to and from Idaho.*
 - ✓ Eliminate barriers to entry to work: *[House Bill 409](#) reduces the amount of time for the Administrator in Training Program from 12 months to 1,000 hours, which would take approximately 6 months. The training period may begin before graduation.*
 - ✓ Do away with unnecessary regulation: *[House Bill 409](#) reduced the hours for training for the Administrator in Training Program.*
 - ✓ Modernize licensure and regulatory requirements: *[House Bill 409](#) modernizes the law to reflect NAB standards for both prospective nursing home administrators and applicants, and nursing home administrator professionals moving to and from Idaho, creating ease of portability.*

- ✓ Comprehensive Review - consider some of the issues raised in the background material, such as,
 - ✓ Telework – Idaho has recently passed laws related to telehealth but other occupations may be facing similar issues regarding telework: *Idaho Code [Title 54, Chapter 57](#).*
 - ✓ Distance/Online Learning/Testing – distance/online education and testing are increasingly available and may influence the resources that applicants or licensees can access to obtain education, continuing education or to test: *[IDAPA 24.2901.200.01](#).*
 - ✓ Criminal History – What barriers or additional obstacles do applicants/licensees face who have a criminal conviction? Do our laws consider the relevance or proximity in time of a conviction to the individuals applying for licensure or for those currently in practice? *[IDAPA 24.2901.300.03](#).*
 - ✓ Early Examination – What can be addressed in the timing of processes to eliminate unnecessary delays? *An aspiring Nursing Home Administrator may begin the one-year Administrator in Training Program before completion of a baccalaureate degree, and is eligible to take the exam. Idaho Code [§ 54-1610](#).*

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- ✓ CE Hardship – Is there an allowance for extenuating circumstances? *See Section F, recommendations.*
- ✓ Temporary Permits – Are there opportunities to work while minimum requirements are being met? *A nursing home may operate under an Administrator Designee who meets certain qualifications in an emergency circumstance for a period of up to 8 weeks. Idaho Code [§ 54-1602](#). The Board may also grant a temporary permit to an out-of-state licensee to practice until their application is acted upon by the Board. Idaho Code [§ 54-1601\(9\)](#).*