

Secretary of State
NOTICE OF PROPOSED RULEMAKING*
A Statement of Need and Fiscal Impact accompanies this form.

Oregon Health Licensing Agency/ Nursing Home Administrators Board	853
Agency and Division	Administrative Rules Chapter Number
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Rules Coordinator	Address
	Telephone

RULE CAPTION

Standardization with other professions regulated by OHLA

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing
ADOPT: 853-020-0000, 853-030-0000, 853-030-0010, 853-030-0020, 853-030-0030, 853-030-0040, 853-030-0050, 853-030-0060, 853-030-0070, 853-040-0000, 853-050-0000, 853-050-0010, 853-060-0000, 853-060-0010

AMEND:

REPEAL: 853-001-0000, 853-001-0005, 853-001-0020, 853-001-0025, 853-001-0030, 853-010-0010, 853-010-0015, 853-010-0017, 853-010-0020, 853-010-0025, 853-010-0035, 853-010-0040, 853-010-0045, 853-010-0050, 853-010-0055, 853-010-0060, 853-010-0065, 853-010-0070, 853-010-0074, 853-010-0075, 853-010-0076, 853-010-0077, 853-010-0078, 853-010-0079, 853-010-0080

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 678.605, 678.606, 678.607, 678.608, 678.615

Other Auth.:

Stats. Implemented: ORS 678.710, 678.720, 678.025, 678.730, 678.740, 678.750, 678.760, 678.770, 678.775, 678.780, 678.790, 678.800, 678.810, 678.820, 678.990

RULE SUMMARY

The Oregon Health Licensing Agency (Agency) and the Nursing Home Administrators Board (NHAB) are proposing to adopt the NHAB administrative rules Chapter 853 Divisions 20 – 60. Rule changes are necessary to standardize and streamline rules for consistency with other professions regulated by OHLA and to allow for the adoption of rules that will align with current industry, agency and statewide rulemaking standards and principles.

Adopt 853-020-0000 Definitions: in order to meet rulemaking protocols and define relevant terms where utilized within the rule for efficiency.

Adopt 853-030-0000 Nursing Home Administrator Application Requirements: to establish standardized pathways for licensure and to streamline the application process. The pathways include:

- Qualification through the AIT program
- Qualification through dual facility experience
- Qualification through advanced education and experience
- Reciprocity

Adopt 853-030-0010 Provisional Licenses –Application and Issuance: for bona fide emergencies.

Adopt 853-030-0020 Application for Registration as an AIT: for individuals applying for an AIT registration.

Adopt 853-030-0030 Application for Registration as a Preceptor: to strengthen the AIT supervisory role and to outline minimum qualifications that a preceptor must meet in order to qualify to train AITs.

Adopt 853-030-0040 Administrator-in-Training (AIT) Program: requirements in order to add clarity and to provide the AIT with a streamlined process for the training period.

Adopt 853-030-0050 General Examination Information: requirements to include all information related to examinations are streamlined into one administrative rule.

Adopt 853-030-0060 Examination Retake: to clarify the retake process.

Adopt 853-030-0070 Nursing Home Administrator Issuance and Renewal: to align with statutory provisions pursuant to ORS 678.775, by establishing a reactivation fee and the number of years a licensee can renew late up to three years to align with renewal requirements and agency protocol. The rule also addresses those authorizations that have expired beyond three years.

Adopt 853-040-0000 Fees: establishing and changing fees.

Adopt 853-050-0000 Continuing Education Requirements: to clarify and establish continuing education credit criteria. Nursing Home Administrators must complete a minimum of 2.0 credits or 20 hours every year.

Adopt 853-050-0010 Continuing Education: Audit, Required Documentation and Sanctions: provide the licensee clarity regarding the process if selected for an audit of attested continuing education credits.

Adopt 853-060-0000 Standards of Practice: to establish and maintain a high standard of integrity and dignity in the profession of nursing home administrators.

Adopt 853-060-0010 Standards of Professional Conduct: to protect the public against unprofessional conduct on the part of nursing home administrator.

The agency requests public comment on whether other options should be considered for achieving the rule’s substantive goals while reducing the negative economic impact of the rule on business.

November 28, 2011

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

Randall Everitt

Signature

Printed name

Date

*Rulemaking Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Rulemaking Notice in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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