

245 CMR: BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

245 CMR 3.00: LICENSURE

Section

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3.01: Purpose and Authority

The purpose of 245 CMR 3.00 is to specify the licensing eligibility requirements and application procedures for initial licensure, license renewal and license retirement.

3.02: Pre-licensure Completion of an Administrator in Training Program

To qualify for licensure, an applicant must have either completed a Board approved training program that meets the requirements of 245 CMR 3.02(1) (“AIT program”) or have obtained credit for completion of an AIT program in accordance with 245 CMR 3.02(3).

- (1) AIT program requirements:
 - (a) Facility. An AIT program shall take place at a skilled nursing facility which has the capacity of at least 50 nursing beds.
 - (b) Preceptor. An AIT program must be conducted under the direct supervision of a preceptor who:
 - i. holds a current license to practice as a nursing home administrator issued by the Board that is in good standing;
 - ii. has practiced as a full-time nursing home administrator for at least five years immediately preceding the preceptorship; and
 - iii. serves as the full-time administrator at the facility where the training will take place, except as may be otherwise approved by the Board.
 - (c) Study-Plan. The AIT and the preceptor must prepare a clinical training experience study plan that:
 - i. integrates the AIT’s education and clinical practice;
 - ii. acquaints the AIT with the particular patient population, the clinical health professionals in the field of long-term health care and the range of service programs offered in the facility;
 - ii. provides the AIT with tutorial education and training in the specific competencies to function as a nursing home administrator.
 - (d) Agreement. The AIT and the preceptor must enter into a written agreement that specifies, at a minimum:

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- i. Duration of the AIT program;
 - ii. Responsibilities to be fulfilled by the preceptor and the AIT;
 - iii. Frequency of preceptor and applicant meetings, which may be no less than weekly;
 - iv. Manner in which the preceptor will monitor the AIT's progress;
 - v. Report by the preceptor to the Board at three month intervals evaluating the AIT's performance during the prior three months.
- (2) Board-approval: Prior to commencing an AIT program, an AIT-applicant must obtain Board approval by submitting:
 - (a) A completed, signed application form as specified by the Board for this purpose and must be accompanied by:
 - i. Documentation of successful completion of a course of study and award of a degree meeting the requirements of 245 CMR 3.03(1);
 - ii. Documentation of a proposed AIT program meeting the requirements of 245 CMR 3.01(1) including, but not limited to, a copy of a Study Plan meeting the requirements of 245 CMR 3.02(1)(c) and a copy of a fully executed agreement meeting the requirements of 245 CMR 3.02(1)(d); and
 - iii. Additional documentation as the Board may require demonstrating the individual is of good moral character, and suitable and fit to be licensed to practice as a nursing home administrator.
 - (b) Payment of the AIT application fee in the amount set by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B, unless waived in accordance with M.G.L. c. 112, § 1B.
- (3) Credit Toward Completion of AIT Requirement.
 - (a) Credit may be given toward completion of the AIT program to any applicant who furnishes written proof satisfactory to the Board of either of the following:
 - i. Satisfactory completion of an on-site internship, which meets the requirements of 245 CMR 3.02(1) as part of his or her graduate or undergraduate degree program; or
 - ii. Work experience in a skilled nursing facility which, in the opinion of the Board, is substantially equivalent to an AIT program meeting the requirements of 245 CMR 3.02(1).
 - (b) An applicant requesting credit toward completion of the AIT program requirement pursuant to this section may be required to appear personally before the Board. The Board shall notify the applicant in writing of its decision.

3.03: Requirements for Licensure

- (1) Qualifications. An applicant for licensure as a Nursing Home Administrator must be at least 18 years of age, of good moral character, and suitable and fit to be licensed and practice as a nursing home administrator. In addition, an applicant must obtain a passing score on the Board-approved Licensure Examination and meet one of the following

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criteria:

- (a) Completion of a Board-approved AIT program of at least three months duration and a Master's Degree, or higher degree, from a graduate school of health care administration or business or management, accredited by a Board-approved accrediting agency. The degree must be in one of the following fields:
 - i. Gerontology;
 - ii. Health Care Management
 - iii. Health Care Administration;
 - iv. Health Services Administration;
 - v. Public Health, with a concentration in administration; or
 - vi. Human Services Administration.
 - (b) Completion of a Board-approved AIT program of at least six months duration and a Bachelor's Degree from an undergraduate school accredited by a Board-approved accrediting agency.
- (2) The Board may issue a license to an applicant who meets the criteria in 245 CMR 3.03(1) and has submitted to the Board:
- (a) A completed, signed application form as specified by the Board for this purpose and must be accompanied by:
 - i. Documentation of successful completion of a course of study and award of a degree meeting the requirements of 245 CMR 3.03(1);
 - ii. Additional documentation as the Board may require demonstrating the individual is of good moral character, and suitable and fit to be licensed to practice as a nursing home administrator.
 - (b) Payment of the licensure fees in the amount set by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B, unless waived in accordance with M.G.L. c. 112, § 1B

3.04: License by Reciprocity

The Board may approve the application for licensure of a Nursing Home Administrator licensed in another jurisdiction, provided the applicant demonstrates the licensure requirements in the foreign jurisdiction are substantially similar to those in Massachusetts by submitting to the Board:

- (1) Verification from each foreign jurisdiction in which the applicant holds any type of license the applicant's license(s) are (is) in good standing;
- (2) Verification the applicant has obtained a passing score on the Board-Approved Licensing Examination; and
- (3) Verification the applicant has successfully completed or obtained credit for an AIT program in the foreign jurisdiction that the Board determines to be substantially equivalent to an AIT program meeting the requirements of 245 CMR 3.02.

3.05: Mandatory Training as a Condition of Licensure

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- (1) Pursuant to M.G.L. c. 112, § 264, applicants and licensees shall participate in domestic violence and sexual violence training as a condition for licensure, renewal, or reinstatement of licensure.
- (2) The Board, in consultation with the Department of Public Health, will identify programs or courses of study meeting the standards required by this provision and provide its licensees with a list of such programs or courses.
- (3) An applicant for renewal, revival or reinstatement of licensure who has previously completed a program or course approved by the Board shall not be required to participate in a subsequent program or course of domestic violence and sexual violence training except where the Board, in its discretion, requires completion of such a program or course as a condition of renewal, revival or reinstatement of licensure.

3.06: License Renewal

- (1) Each Nursing Home Administrator shall renew his or her license each year on or before June 30. A Nursing Home Administrator who fails to renew his or license before the expiration date shall no longer be authorized to practice until the license is renewed. A Nursing Home Administrator who continues to practice after the expiration date may be subject to disciplinary action by the Board
- (2) A licensed Nursing Home Administrator who meets the continuing education requirements in 267 CMR 5.02 may apply to renew his or her license by submitting an application in the manner specified by the Board together with payment of the license renewal fees prescribed by the Executive Office of Administration and Finance pursuant to M.G.L. c. 7, § 3B, unless waived in accordance with M.G.L. c. 112, § 1B.

3.07: License Retirement

- (1) A licensee who meets the eligibility requirements in 245 CMR 3.07(2) may submit a petition to the Board to request his or her license be placed on retired status. A retired status is a nondisciplinary license status. The Board may review any petition for reinstatement or return to current status from any licensee whose status has been changed to retired status.
- (2) A licensee will be eligible to submit a petition for retired status, if the licensee:
 - (a) Has a license that is not surrendered, suspended or revoked at the time of the petition; and
 - (b) Demonstrates, to the board's satisfaction, the licensee intends to permanently retire from active practice in the Commonwealth and in all other jurisdictions.
- (3) A licensee with a retired status may not practice.

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(4) Nothing in this section shall prevent the Board from initiating, pursuing or taking a disciplinary action against a licensee whose license is in retired status, including an action that imposes discipline or changes the license status from retired to revoked or suspended, if the Board determines such action is in the best interests of public health, safety or welfare.

REGULATORY AUTHORITY

245 CMR 3.00: M.G.L. c. 13, § 74 and M.G.L. c. 112, § 115.