

CHAPTER 34

RULES FOR LICENSING NURSING HOME ADMINISTRATORS AND RULES REGULATING THE NURSING HOME ADMINISTRATORS LICENSING BOARD

Authority

N.J.S.A. 26:2H-1 et seq., particularly 26:2H-5b, and 30:11-11 et seq., particularly 30:11-13 and 21.

Source and Effective Date

R.2005 d.15, effective December 4, 2004.
See: 36 N.J.R. 2402(a), 37 N.J.R. 55(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 34, Rules for Licensing Nursing Home Administrators and Rules Regulating the Nursing Home Administrators Licensing Board, expires on June 2, 2010.

Chapter Historical Note

Chapter 34, originally Licensing Nursing Home Administrators, was adopted pursuant to authority of N.J.S.A. 26:2H-1 et seq., and became effective November 30, 1972 as R.1972 d.241. See: 4 N.J.R. 237(a), 5 N.J.R. 8(b).

1977 Revisions: Amendments became effective May 17, 1977 as R.1977 d.172. See: 9 N.J.R. 15(c), 9 N.J.R. 268(b).

1978 Revisions: Amendments to section 1.27 became effective December 12, 1978 as R.1978 d.423. See: 10 N.J.R. 427(b), 11 N.J.R. 15(b).

1979 Revisions: Amendments became effective May 17, 1979 as R.1979 d.200. See: 11 N.J.R. 175(a), 11 N.J.R. 279(d).

1980 Revisions: Amendments to sections 1.29 and 1.30 became effective April 17, 1980 as R.1980 d.170. See: 12 N.J.R. 115(b), 12 N.J.R. 273(a).

1983 Revisions: This chapter was readopted pursuant to Executive Order 66(1978) effective November 18, 1983 as R.1983 d.565. See: 15 N.J.R. 1624(a), 15 N.J.R. 2042(a). Further amendments became effective December 5, 1983 as R.1983 d.565. See: 15 N.J.R. 1624(a), 15 N.J.R. 2042(a).

1986 Revisions: Amendments became effective April 7, 1986 as R.1986 d.88 and d.89. See: 18 N.J.R. 74(a), 18 N.J.R. 678(a); 18 N.J.R. 75(a), 18 N.J.R. 678(b).

1988 Revisions: This chapter was readopted pursuant to Executive Order 66(1978) effective November 15, 1988 as R.1988 d.567. See: 20 N.J.R. 2355(b), 20 N.J.R. 3136(b). Amendments were adopted as R.1992 d.345, effective September 8, 1992. See: 24 N.J.R. 2414(a), 24 N.J.R. 3161(a). Public Notices on examination fees. See: 24 N.J.R. 3179(a); 25 N.J.R. 4676(a).

Chapter 34, Rules for Licensing Nursing Home Administrators and Rules Regulating the Nursing Home Administrators Board, was repealed and adopted as new rules by R.1993 d.545, effective November 1, 1993. See: 25 N.J.R. 3727(a), 25 N.J.R. 4908(a). Pursuant to Executive Order No. 66(1978), Chapter 34 expired on November 1, 1998.

Chapter 34, Rules for Licensing Nursing Home Administrators and Rules Regulating the Nursing Home Administrators Board, was adopted as new rules by R.1999 d.185, effective June 7, 1999. See: 30 N.J.R. 4027(a), 31 N.J.R. 1508(b).

Chapter 34, Rules for Licensing Nursing Home Administrators and Rules Regulating the Nursing Home Administrators Board, was re-

adopted as R.2005 d.15, effective December 4, 2004. As a part of R.2005 d.15, Chapter 34 was renamed Rules for Licensing Nursing Home Administrators and Rules Regulating the Nursing Home Administrators Licensing Board, effective January 3, 2005. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

8:34-1.1 Source of authority

These rules shall be known as the "Rules for Licensing Nursing Home Administrators and Rules Regulating the Nursing Home Administrators Licensing Board" adopted by the New Jersey State Department of Health and Senior Services and promulgated pursuant to the authority of N.J.S.A. 26:2H-27 and 26:2H-28 and N.J.S.A. 30:11-1 et seq.

Amended by R.2005 d.15, effective January 3, 2005.
 See: 36 N.J.R. 2402(a), 37 N.J.R. 55(a).

Inserted "and Rules Regulating the Nursing Home Administrators Licensing Board" following "Rules for Licensing Nursing Home Administrators".

8:34-1.2 Scope of rules

(a) This chapter contains rules for licensing nursing home administrators in New Jersey and rules regulating the operation of the Nursing Home Administrators Licensing Board.

(b) This chapter shall apply to all individuals who seek to secure a New Jersey license as a nursing home administrator; all individuals who currently are licensed; and all individuals who are in inactive status.

(c) The rules of the Department shall be supplemental to the laws providing for the licensing of nursing home administrators and shall have the force and effect of law.

(d) The rules of the Board are intended to be consistent with applicable Federal and State law and shall be construed whenever necessary, to achieve such consistency.

Amended by R.2005 d.15, effective January 3, 2005.
 See: 36 N.J.R. 2402(a), 37 N.J.R. 55(a).

In (a), inserted "operation of the" preceding "Nursing Home Administrators Licensing Board"; added a new (b); recodified former (b) and (c) as (c) and (d).

8:34-1.3 Scope of individual practice

(a) The scope of practice for a licensed nursing home administrator is defined as overseeing the provision of physical and emotional health services for persons who require various therapeutic and protective measures in a supervised environment.

(b) The licensed nursing home administrator performs functions including, but not limited to, ensuring quality resident care management, personnel management, financial management, environmental management, regulatory management, organizational management, marketing, and community and public relations.

Amended by R.2005 d.15, effective January 3, 2005.
 See: 36 N.J.R. 2402(a), 37 N.J.R. 55(a).

Deleted former (a); recodified former (b) as (a) and inserted "overseeing" following "nursing home administrator is defined as"; recodified former (c) as (b).

8:34-1.4 Scope of administrator responsibility

(a) The licensed administrator shall be responsible for the administrative functions at the nursing home to assure that the nursing home is operated at all times in compliance with N.J.A.C. 8:39, Licensing Standards for Long Term Care Facilities, and all other applicable State and Federal rules, regulations and laws.

(b) In a nursing home where a licensed administrator has both administrative and other functions, the nursing home shall maintain time schedules, which delineate clearly the specific hours spent by the administrator in each function.

Amended by R.2005 d.15, effective January 3, 2005.
 See: 36 N.J.R. 2402(a), 37 N.J.R. 55(a).

In (a), inserted "State and Federal" following "applicable".

8:34-1.5 Purpose

The purpose of this chapter is to implement the provisions of P.L. 1968, c.356 and to set forth education, experience, and continuing education requirements as well as disciplinary processes applicable to individuals acting as administrators of nursing homes, in order to assure safe and adequate treatment of all individuals in nursing homes.

Amended by R.2005 d.15, effective January 3, 2005.
 See: 36 N.J.R. 2402(a), 37 N.J.R. 55(a).

Rewrote the section.

8:34-1.6 General definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless expressly otherwise stated, or unless the context or subject matter clearly indicates otherwise:

"Address of record" means the home and work address designated by a licensee, in writing.

"Administrator" means an individual licensed as a nursing home administrator whether or not they are an administrator of record.

"Administrator-in-training" (AIT) means an individual who is participating in a Board approved training program to become a licensed nursing home administrator.