

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, 30:11-11 et seq., particularly 30:11-13 and 21.

Source and Effective Date

R.2011 d.099, effective March 2, 2011.
See: 42 N.J.R. 877(a), 43 N.J.R. 836(a).

Chapter Expiration Date

Chapter 34, Rules for Licensing Nursing Home Administrators and Rules Regulating the Nursing Home Administrators Licensing Board, expires on March 2, 2016.

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34, Rules for Licensing Nursing Home Administrators and Rules Regulating the Nursing Home Administrators Board, was repealed and adopted as new rules by R.1993 d.545, effective November 1, 1993.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: 36 N.J.R. 2402(a), 37 N.J.R. 55(a).

Pursuant to Executive Order No. 1(2010), the chapter expiration date was extended from December 4, 2009 until the completion of the review of administrative regulations and rules by the Red Tape Review Group, and until such time as the extended regulation or rule was readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. See: 42 N.J.R. 877(a).

Chapter 34, Rules for Licensing Nursing Home Administrators and Rules Regulating the Nursing Home Administrators Licensing Board, was readopted as R.2011 d.099, effective March 2, 2011. As a part of R.2011 d.099, Subchapter 8, Suspension, Revocation, Sanctions and Hearings, was repealed; and Subchapter 8, Administrative Practice Violations, Sanctions and Due Process, and Appendices A through D, were adopted as new rules, effective April 4, 2011. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

8:34-1.1 Scope and purpose

(a) This chapter contains rules for licensing nursing home administrators and rules regulating the operation of the Nursing Home Administrators Licensing Board promulgated pursuant to the authority of N.J.S.A. 26:2H-27 and 28 and 30:11-1 et seq.

(b) This chapter applies 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 purpose of this chapter is to set forth education, experience and continuing education requirements, and disciplinary processes applicable to individuals acting as administrators of nursing homes 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).

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

Repeal and New Rule, R.2011 d.099, effective April 4, 2011.
See: 42 N.J.R. 877(a), 43 N.J.R. 836(a).

Section was "Source of authority".

8:34-1.2 Definitions

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

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

"Administrative intern" means an individual participating in a Board-approved administrative experience requirement in accordance with N.J.A.C. 8:34-4.

"Administrator" means an individual licensed as a nursing home administrator.

"Administrator of record" means a licensed administrator who is responsible for all aspects of the operation of a nursing home or a health care facility with beds licensed pursuant to N.J.A.C. 8:39-9.2(a).

"Assistant administrator" means an individual employed in a licensed nursing home who assists the licensed administrator of record in performing the designated functions of that position, who has direct line responsibility to the administrator of record and who may be participating in a Board-approved administrative intern program to become a licensed nursing home administrator.

"Board" means the Nursing Home Administrators Licensing Board, created pursuant to N.J.S.A. 30:11-11 et seq., and its designated staff, of the New Jersey Department of Health and Senior Services, the mailing address of which is Nursing Home Administrators Licensing Board, New Jersey Department of Health and Senior Services, PO Box 358, Trenton, NJ 08625-0358.

"CEU" means continuing education unit.

"Commissioner" means the Commissioner of the New Jersey Department of Health and Senior Services.

"Department" means the New Jersey Department of Health and Senior Services.

"Designee" means an individual whom the Commissioner, Board Chairperson or Board Executive Director selects for a specifically delegated purpose or assignment.

"Expungement" means the removal of information from the file of a licensed administrator or an applicant for licensure, maintained by the Board.

"Full-time" means at least 35 hours of work per week.

"Institution of higher learning" means an institution accredited by the New Jersey Commission on Higher Education or its out-of-State equivalent.

"License" means a credential issued by the Department upon recommendation from the Board, which indicates that