

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Board of Examiners for Nursing Home Administrators

RULE CITATION: All Rules

DEADLINE FOR RECEIPT: Tuesday, April 4, 2023.

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

In each of your rules, please amend the introductory statement to include the publication information from the NC Register. See the formatting examples on the OAH website at the link below for how to format. You'll want to go to "Permanent Rules", then "Rule Format Examples for Publication in the NC Administrative Code", then see the examples for "Permanent Adoption with no changes from publication" for R. 0104, and "Permanent Amendment with no change from publication" for the other two rules.

<https://www.oah.nc.gov/rule-format-examples>

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Board of Examiners for Nursing Home Administrators

RULE CITATION: 21 NCAC 37B .0104

DEADLINE FOR RECEIPT: Tuesday, April 4, 2023.

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In reviewing this Rule, the staff recommends the following changes be made:

Delete the extra line between the title and the rule text on line 4.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Brian Liebman
Commission Counsel

Date submitted to agency: March 21, 2023

1 21 NCAC 37B .104 is proposed for adoption as follows:

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3 **21 NCAC 37B .0104 FEES**

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5 Fees may be paid in the form of check, money order, or cashier's check made payable to NC State Board of
6 Examiners for Nursing Home Administrators or NCBENHA. Payments will be accepted by credit card through the
7 Board's website only. All credit card payments will include a convenience/processing fee.

8

9 *History Note: Authority G.S. 90-280*

10 *Effective May 1, 2023*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Board of Examiners for Nursing Home Administrators

RULE CITATION: 21 NCAC 37D .0604

DEADLINE FOR RECEIPT: Tuesday, April 4, 2023.

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In reviewing this Rule, the staff recommends the following changes be made:

The guidelines from the National Association of Long Term Care Administrator Boards need to be included in the rule or incorporated by reference, in accordance with G.S. 150B-21.6.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Brian Liebman
Commission Counsel

Date submitted to agency: March 21, 2023

1 21 NCAC 37D .0604 is proposed for amendment as follows:

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3 **21 NCAC 37D .0604 GRADE REQUIRED**

4 Every candidate for a nursing home administrator's license shall be required to pass the licensing examinations ~~with a~~
5 ~~grade of at least 75 percent.~~ in accordance with the National Association of Long Term Care Administrator Boards
6 guidelines.

7

8 *History Note: Authority G.S. 90-285;*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. October 1, 1977; December 15, 1977;*

11 *Amended Eff. May 1, 1989;*

12 *Transferred and Recodified from 21 NCAC 37A .0801 Eff. April 1, 1996;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September*
14 *22, 2014.*

15 *Amended Eff May 1, 2023*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Board of Examiners for Nursing Home Administrators

RULE CITATION: 21 NCAC 37D .0605

DEADLINE FOR RECEIPT: Tuesday, April 4, 2023.

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

On line 4, what do you mean when you say the national exam "shall" include various subjects? I don't think the Board has the authority to set the topics in NAB's exam.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Brian Liebman
Commission Counsel

Date submitted to agency: March 21, 2023

1 21 NCAC 37D .0605 is proposed for amendment as follows:
2

3 **21 NCAC 37D .0605 SUBJECT AREAS**

4 The national examination shall include, but need not be limited to, the following subjects:

- 5 (1) ~~Resident Care and Quality of Life; Care, Services, and Supports;~~
6 (2) ~~Human Resources; Operations;~~
7 (3) ~~Finance; Environment and Quality; and~~
8 (4) ~~Physical Environment and Atmosphere; Leadership and Strategy.~~
9 (5) ~~Leadership and Management.~~

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11 *History Note: Authority G.S. 90-278; 90-285;*

12 *Eff. February 1, 1976;*

13 *Readopted Eff. October 1, 1981; December 15, 1977;*

14 *Amended Eff. August 2, 1993;*

15 *Transferred and Recodified from 21 NCAC 37A .0701 Eff. April 1, 1996;*

16 *Amended Eff. July 1 2004; July 1, 2000; April 1, 1996;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September*
18 *22, 2014.*

19 *Amended Eff. May 1, 2023*