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Code:  Section:

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**HEALTH AND SAFETY CODE - HSC**

**DIVISION 2. LICENSING PROVISIONS [1200 - 1796.70]** ( *Division 2 enacted by Stats. 1939, Ch. 60.* )

**CHAPTER 2.35. Nursing Home Administrator Program [1416 - 1416.86]** ( *Chapter 2.35 added by Stats. 2001, Ch. 687, Sec. 5.* )

**ARTICLE 2. Administration [1416.10 - 1416.12]** ( *Article 2 added by Stats. 2001, Ch. 687, Sec. 5.* )

**1416.10.** In conformity with the requirements of Section 1908(c) of the Social Security Act (42 U.S.C. Sec. 1396g(c)), the program shall have all of the following powers and duties:

- (a) To develop, impose, and enforce standards that shall be met by individuals in order to receive a license as a nursing home administrator. At a minimum, the standards shall be designed to ensure that nursing home administrators shall be individuals who have not committed acts or crimes constituting grounds for denial of licensure and who are qualified by training or experience in the field of institutional administration to serve as nursing home administrators.
- (b) To develop and apply procedures, including examinations and investigations, for determining whether an individual meets the standards.
- (c) To issue licenses to individuals who have been determined to meet the standards, and to revoke or suspend licenses where grounds exist for those actions.
- (d) To establish and carry out procedures designed to ensure that individuals licensed as nursing home administrators will, during any period that they serve as an administrator, comply with the required standards.
- (e) To receive, investigate, and take appropriate action with respect to any charge or complaint filed with the program alleging that an individual licensed as a nursing home administrator has failed to comply with the required standards.
- (f) To conduct studies of the administration of nursing homes within the state, with a view to the improvement of the standards imposed for the licensing of nursing home administrators, and of procedures and methods for the enforcement of standards with respect to administrators of nursing homes who have been licensed under this chapter.
- (g) To receive and administer all funds and grants as are made available to the program in order to carry out the purposes of this chapter.
- (h) To encourage qualified educational institutions and other qualified organizations to establish, provide, and conduct training and instruction programs and courses that will enable all otherwise qualified individuals to attain the qualifications necessary to meet the standards set by the program for licensed nursing home administrators, and to enable licensed nursing home administrators to meet the continuing education requirements for the renewal of their licenses.
- (i) To consult with and seek the recommendations of the appropriate statewide professional societies, associations, institutional organizations, and educational institutions in the development of educational programs.
- (j) To give due consideration to the recommendations of the National Advisory Council on Nursing Home Administration, in accordance with the provisions of subdivision (f) of Section 1908 of Title XIX of the Social Security Act (42 U.S.C. Sec. 1396g(f)).

(*Added by Stats. 2001, Ch. 687, Sec. 5. Effective January 1, 2002.*)

**1416.12.** The following enforcement actions taken by the department against a facility and the name of the licensed administrator of the facility shall be reported to the program.

- (a) Temporary suspension orders.
- (b) Final decertification from the Medi-Cal or Medicare programs based on failure to meet certification requirements.
- (c) Service of an accusation to revoke a facility's license.
- (d) All class "AA" citations and three class "A" citations issued to a facility with the same administrator within a one-calendar year period. The department shall notify the program in the event that citations are overturned or modified in citation review conference,

through binding arbitration, or on appeal.

*(Added by Stats. 2001, Ch. 687, Sec. 5. Effective January 1, 2002.)*