

310_675-15-2 Temporary manager list

(a)

Any person may apply to be a qualified temporary manager by filing a written request with the Department. The request shall be made on a form published by the Department that shall require information sufficient to establish the person's or corporation's qualifications, including: (1) age of each person with a controlling interest; (2) education of each person with a controlling interest; (3) names and locations of facilities with which the person or corporation has been involved, dates of involvement and descriptions of responsibilities and duties and specific deficiencies which required significant corrections in a timely or emergency manner; (4) disclosure of any felony conviction of each person to work in the facility or be responsible for resident or facility funds, regardless of whether or not the person believes the conviction bears on the operation of a facility and submission of the results of a check, conducted no more than thirty (30) days prior to application, of criminal arrest records maintained by the Oklahoma State Bureau of Investigation; (5) disclosure of any disciplinary action against any person who will provide services to the facility by any licensing board or professional society in any state; (6) disclosure of any financial interest in any facility in Oklahoma on the part of the proposed manager or the manager's immediate family, including the manager's husband or wife, child or sibling, stepparent, stepchild, stepbrother or stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,

sister-in-law, grandparent or grandchild or of any other person who will provide services to the facility; (7) the Oklahoma nursing home administrator's license number of the manager or the nursing home administrator to be employed; (8) a list of any person who will work at a the facility along with their qualifications and information as listed above; (9) a statement of the expected involvement in the operation of the facility of each principal, including an estimate of the amount of time that will be spent by each principal at the facility and the services to be provided by you or your company as part of the temporary manager fee or as additional costs to the facility; (10) the basis on which the amount of the fee will be calculated; (11) an attestation to the truthfulness of the information submitted; and (12) the address, telephone number, fax number, and email address for contacting the temporary manager at all times.

(1)

age of each person with a controlling interest;

(2)

education of each person with a controlling interest;

(3)

names and locations of facilities with which the person or corporation has been involved, dates of involvement and descriptions of responsibilities and duties and specific deficiencies which required significant corrections in a timely or emergency manner;

(4)

disclosure of any felony conviction of each person to work in the facility or be responsible for resident or facility funds, regardless of whether or not the person believes the conviction bears on the operation of a facility and submission of the results of a check, conducted no more that thirty (30) days prior to application, of criminal arrest records maintained by the Oklahoma State Bureau of Investigation;

(5)

disclosure of any disciplinary action against any person who will provide services to the facility by any licensing board or professional society in any state;

(6)

disclosure of any financial interest in any facility in Oklahoma on the part of the proposed manager or the manager's immediate family, including the manager's husband or wife, child or sibling, stepparent, stepchild, stepbrother or stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent or grandchild or of any other person who will provide services to the facility;

(7)

the Oklahoma nursing home administrator's license number of the manager or the nursing home administrator to be employed;

(8)

a list of any person who will work at a the facility along with their qualifications and information as listed above;

(9)

a statement of the expected involvement in the operation of the facility of each principal, including an estimate of the amount of time that will be spent by each principal at the facility and the services to be provided by you or your company as part of the temporary manager fee or as additional costs to the facility;

(10)

the basis on which the amount of the fee will be calculated;

(11)

an attestation to the truthfulness of the information submitted; and

(12)

the address, telephone number, fax number, and email address for contacting the

temporary manager at all times.

(b)

Within thirty (30) days after receipt of the complete request, the Commissioner shall approve or deny the person's request to be included on the temporary manager list. The criteria for approval to serve as a temporary manager shall be:

(1) Evaluation of the information submitted and the requirements of the temporary manager program as specified in OAC 310:675-15-1; (2) If the applicant has operated a facility, the operational history of the applicant; (3) If the applicant has served as a temporary manager anywhere in the United states, the operational history of any managership; (4) The history of the applicant in complying with orders of the Department or Commissioner or those of other states or the federal government or a final order of a court of record.

(1)

Evaluation of the information submitted and the requirements of the temporary manager program as specified in OAC 310:675-15-1;

(2)

If the applicant has operated a facility, the operational history of the applicant;

(3)

If the applicant has served as a temporary manager anywhere in the United states, the operational history of any managership;

(4)

The history of the applicant in complying with orders of the Department or Commissioner or those of other states or the federal government or a final order of a court of record.

(c)

The approval or denial of inclusion on the list of temporary managers is a

discretionary function and does not create any rights to due process for the applicant.

(d)

The Commissioner shall specify the reasons the applicant is disqualified from managing any facility.

(e)

No former employee of the Department shall be eligible to serve as a temporary manager or be employed by a temporary manager until at least twelve (12) months has passed since the termination of that employment. The circumstances of that termination shall be considered in the review of the application.

(f)

No person who has been convicted of any crime listed in 63 O.S. § 1-1950.1 shall be appointed as a temporary manager nor shall any such person be an employee of a temporary manager or work for the temporary manager in the service of the facility.

(g)

Placement of a person or corporation on the temporary manager list does not ensure that that entity will ever be appointed. Placement on the list of temporary managers does not create a right to appointment.