

|->

Title 22@ Social Security

|->

Division 6@ Licensing of Community Care Facilities

|->

Chapter 8@ Residential Care Facilities for the Elderly (RCFE)

|->

Article 7@ Personnel

|->

Section 87406@ Administrator Certification Requirements

87406 Administrator Certification Requirements

(a)

All individuals shall be residential care facility for the elderly certificate holders prior to being employed as an administrator. (1) Applicants who possess a valid Nursing Home Administrator license, issued by the California Department of Public Health, shall be exempt from completing an approved Initial Certification Training Program and taking a written exam, provided the individual completes twelve (12) hours of classroom instruction in the following Core of Knowledge areas: (A) Four (4) hours of instruction in laws, regulations, policies, and procedural standards that impact the operations of residential care facilities for the elderly, including but not limited to the authority referenced in this Chapter. (B) Four (4) hours of instruction in medication management, including the use, misuse, and interaction of drugs commonly used by the elderly, including antipsychotics, and the adverse effects of psychotropic drugs for use in controlling the behavior of persons with dementia. (C) Four (4) hours of instruction in resident admission, retention, and assessment procedures. (2) Individuals who were both the licensee and administrator on or before July 1, 1991, shall complete an Initial Certification Training Program but shall not be required to take the written exam. Individuals exempted from the written exam shall be issued a conditional certification valid only for the administrator of the facility for which the exemption was granted. (A) As a condition to becoming a certified administrator of another facility, a holder of

a conditional certificate issued pursuant to Section 87406(a)(2) shall be required to pass the written exam. (B) As a condition to applying for a new facility license, the holder of a conditional certificate issued pursuant to Section 87406(a)(2) shall be required to pass the written exam. (3) An applicant for licensure shall be subject to the same application process for Initial Certification of Administrators as set forth in Section 87406(b).

(1)

Applicants who possess a valid Nursing Home Administrator license, issued by the California Department of Public Health, shall be exempt from completing an approved Initial Certification Training Program and taking a written exam, provided the individual completes twelve (12) hours of classroom instruction in the following Core of Knowledge areas: (A) Four (4) hours of instruction in laws, regulations, policies, and procedural standards that impact the operations of residential care facilities for the elderly, including but not limited to the authority referenced in this Chapter. (B) Four (4) hours of instruction in medication management, including the use, misuse, and interaction of drugs commonly used by the elderly, including antipsychotics, and the adverse effects of psychotropic drugs for use in controlling the behavior of persons with dementia. (C) Four (4) hours of instruction in resident admission, retention, and assessment procedures.

(A)

Four (4) hours of instruction in laws, regulations, policies, and procedural standards that impact the operations of residential care facilities for the elderly, including but not limited to the authority referenced in this Chapter.

(B)

Four (4) hours of instruction in medication management, including the use, misuse, and interaction of drugs commonly used by the elderly, including antipsychotics, and the adverse

effects of psychotropic drugs for use in controlling the behavior of persons with dementia.

(C)

Four (4) hours of instruction in resident admission, retention, and assessment procedures.

(2)

Individuals who were both the licensee and administrator on or before July 1, 1991, shall complete an Initial Certification Training Program but shall not be required to take the written exam. Individuals exempted from the written exam shall be issued a conditional certification valid only for the administrator of the facility for which the exemption was granted. (A) As a condition to becoming a certified administrator of another facility, a holder of a conditional certificate issued pursuant to Section 87406(a)(2) shall be required to pass the written exam. (B) As a condition to applying for a new facility license, the holder of a conditional certificate issued pursuant to Section 87406(a)(2) shall be required to pass the written exam.

(A)

As a condition to becoming a certified administrator of another facility, a holder of a conditional certificate issued pursuant to Section 87406(a)(2) shall be required to pass the written exam.

(B)

As a condition to applying for a new facility license, the holder of a conditional certificate issued pursuant to Section 87406(a)(2) shall be required to pass the written exam.

(3)

An applicant for licensure shall be subject to the same application process for Initial Certification of Administrators as set forth in Section 87406(b).

(b)

To receive his/her certificate an applicant shall: (1) Unless exempted by Section 87406(a)(1), successfully complete a Department-approved Initial Certification

Training Program as described in Section 87785(h). (2) Unless exempted by Section 87406(a)(1) or (a)(2), pass a written exam developed and administered by the Department within sixty (60) days of completion of an Initial Certification Training Program and within three (3) attempts. (3) Submit a completed Application for Administrator Certification form LIC 9214 to the Department's Administrator Certification Section within thirty (30) days of being notified of having passed the exam, or if the applicant is exempt from taking the written exam, within thirty (30) days of completing the Initial Certification Training Program. The application shall contain the following: (A) The applicant's name, address, e-mail address, phone number(s), and date of birth. (B) A statement of whether or not the applicant: (i) Held or currently holds a license, certification or other approval as a professional in a specified field and the certificate or license number(s). (ii) Held or currently holds a State-issued care facility license or was or is employed by a State-licensed care facility and the license number. (iii) Was the subject of any legal, administrative or other action involving licensure, certification or other approvals as specified in Sections 87406(b)(3)(B)(i) and (ii). (C) Proof that the applicant has successfully completed a Department-approved Initial Certification Training Program or, in the case of a Nursing Home Administrator, proof of completion of the required hours of classroom instruction as specified in Section 87406(a)(1). (D) Documentation of passing the written exam or qualifying for an exemption pursuant to Section 87406(a)(1) or (a)(2). (E) A statement certifying that the information submitted is true and correct. (F) A completed Criminal Record Statement form LIC 508. (G) A completed Request for Live Scan Service form LIC 9163, signed and dated by the live scan vendor, to document that the applicant has submitted fingerprints to the Department of Justice at a live scan location, or a statement that the applicant has

a current criminal record clearance or an exemption on file with the Department.
(H) A non-refundable one hundred dollar (\$100) processing fee. (I) A copy of the front and back of his/her current nursing home wallet license, or equivalent, if the applicant is a current Nursing Home Administrator.

(1)

Unless exempted by Section 87406(a)(1), successfully complete a Department-approved Initial Certification Training Program as described in Section 87785(h).

(2)

Unless exempted by Section 87406(a)(1) or (a)(2), pass a written exam developed and administered by the Department within sixty (60) days of completion of an Initial Certification Training Program and within three (3) attempts.

(3)

Submit a completed Application for Administrator Certification form LIC 9214 to the Department's Administrator Certification Section within thirty (30) days of being notified of having passed the exam, or if the applicant is exempt from taking the written exam, within thirty (30) days of completing the Initial Certification Training Program. The application shall contain the following: (A) The applicant's name, address, e-mail address, phone number(s), and date of birth. (B) A statement of whether or not the applicant: (i) Held or currently holds a license, certification or other approval as a professional in a specified field and the certificate or license number(s). (ii) Held or currently holds a State-issued care facility license or was or is employed by a State-licensed care facility and the license number. (iii) Was the subject of any legal, administrative or other action involving licensure, certification or other approvals as specified in Sections 87406(b)(3)(B)(i) and (ii). (C) Proof that the applicant has successfully completed a Department-approved Initial Certification Training Program

or, in the case of a Nursing Home Administrator, proof of completion of the required hours of classroom instruction as specified in Section 87406(a)(1). (D) Documentation of passing the written exam or qualifying for an exemption pursuant to Section 87406(a)(1) or (a)(2). (E) A statement certifying that the information submitted is true and correct. (F) A completed Criminal Record Statement form LIC 508. (G) A completed Request for Live Scan Service form LIC 9163, signed and dated by the live scan vendor, to document that the applicant has submitted fingerprints to the Department of Justice at a live scan location, or a statement that the applicant has a current criminal record clearance or an exemption on file with the Department. (H) A non-refundable one hundred dollar (\$100) processing fee. (I) A copy of the front and back of his/her current nursing home wallet license, or equivalent, if the applicant is a current Nursing Home Administrator.

(A)

The applicant's name, address, e-mail address, phone number(s), and date of birth.

(B)

A statement of whether or not the applicant: (i) Held or currently holds a license, certification or other approval as a professional in a specified field and the certificate or license number(s). (ii) Held or currently holds a State-issued care facility license or was or is employed by a State-licensed care facility and the license number. (iii) Was the subject of any legal, administrative or other action involving licensure, certification or other approvals as specified in Sections 87406(b)(3)(B)(i) and (ii).

(i)

Held or currently holds a license, certification or other approval as a professional in a specified field and the certificate or license number(s).

(ii)

Held or currently holds a State-issued care facility license or was or is employed by a State-licensed

care facility and the license number.

(iii)

Was the subject of any legal, administrative or other action involving licensure, certification or other approvals as specified in Sections 87406(b)(3)(B)(i) and (ii).

(C)

Proof that the applicant has successfully completed a Department-approved Initial Certification Training Program or, in the case of a Nursing Home Administrator, proof of completion of the required hours of classroom instruction as specified in Section 87406(a)(1).

(D)

Documentation of passing the written exam or qualifying for an exemption pursuant to Section 87406(a)(1) or (a)(2).

(E)

A statement certifying that the information submitted is true and correct.

(F)

A completed Criminal Record Statement form LIC 508.

(G)

A completed Request for Live Scan Service form LIC 9163, signed and dated by the live scan vendor, to document that the applicant has submitted fingerprints to the Department of Justice at a live scan location, or a statement that the applicant has a current criminal record clearance or an exemption on file with the Department.

(H)

A non-refundable one hundred dollar (\$100) processing fee.

(I)

A copy of the front and back of his/her current nursing home wallet license, or equivalent, if the applicant is a current Nursing Home Administrator.

(c)

The Department shall not issue a certificate until it receives notification from the Department of Justice that the applicant has a criminal record clearance or an exemption pursuant to Health and Safety Code section 1569.17 or is able to transfer a current criminal record clearance or an exemption pursuant to Health and Safety Code section 1569.17(g)(1).

(d)

No person shall cheat on, subvert, or attempt to subvert, the exam given by the Department, including, but not limited to, engaging in, soliciting, or procuring any of the following: (1) Any form of communication between one or more examinees and any other person, other than a proctor or exam official, while the exam is in progress. (2) The taking of all or a part of the exam by a person other than the applicant. (3) Possession or use at any time during the exam or while the examinee is on the exam premises of any device, material, or document that is not expressly authorized for use by examinees during the exam, including, but not limited to, notes, crib sheets, textbooks, and electronic devices. (4) Failure to follow any exam instruction or rule related to exam security.

(1)

Any form of communication between one or more examinees and any other person, other than a proctor or exam official, while the exam is in progress.

(2)

The taking of all or a part of the exam by a person other than the applicant.

(3)

Possession or use at any time during the exam or while the examinee is on the exam premises of any device, material, or document that is not expressly authorized for use by examinees during the exam, including, but not limited to, notes, crib sheets,

textbooks, and electronic devices.

(4)

Failure to follow any exam instruction or rule related to exam security.

(e)

Any applicant caught willfully cheating under this section shall be deemed to have failed that exam and may be denied certification pursuant to Section 87408 as a result of the conduct.

(f)

It shall be unlawful for any person not certified under this section to hold himself or herself out as a certified administrator. Any person willfully making any false representation as being a certified administrator is guilty of a misdemeanor.

(g)

Certificates issued under this section shall be renewed every two (2) years provided the certificate holder has complied with all renewal requirements.

(h)

Certificates shall be valid for a period of two (2) years and expire on either the anniversary date of initial issuance or on the individual's birthday during the second calendar year following certification.(1) The certificate holder shall make an irrevocable election to have his or her recertification date for any subsequent recertification either on the date two (2) years from the date of issuance of the certificate or on the individual's birthday during the second calendar year following certification.

(1)

The certificate holder shall make an irrevocable election to have his or her recertification date for any subsequent recertification either on the date two (2) years from the date of issuance of the certificate or on the individual's birthday during the

second calendar year following certification.

(i)

Time deadlines specified in Sections 87406(b)(2) and (3) may be extended up to sixty (60) days in total for good cause as determined by the Department. Any request for an extension of time shall be made in writing to the Administrator Certification Section Manager within sixty (60) days of completing the Initial Certification Training Program and shall contain a statement of all facts the applicant believes constitute good cause to extend a time deadline. (1) Good cause may include death of an immediate family member, required fulfillment of military service or other civic duty, or another unavoidable and verifiable event as determined by the Department. Failure of the exam shall not constitute good cause for an extension. (2) Absent a good cause extension, the Department shall not process and may deem withdrawn an application that fails to meet the time deadlines specified in Sections 87406(b)(2) or (3). (3) Any applicant who fails to meet the time deadlines specified in Sections 87406(b)(2) and (3) must begin the certification process described in Section 87406(b) anew, and complete it within the time deadlines specified in Sections 87406(b)(2) and (3).

(1)

Good cause may include death of an immediate family member, required fulfillment of military service or other civic duty, or another unavoidable and verifiable event as determined by the Department. Failure of the exam shall not constitute good cause for an extension.

(2)

Absent a good cause extension, the Department shall not process and may deem withdrawn an application that fails to meet the time deadlines specified in Sections 87406(b)(2) or (3).

(3)

Any applicant who fails to meet the time deadlines specified in Sections 87406(b)(2) and (3) must begin the certification process described in Section 87406(b) anew, and complete it within the time deadlines specified in Sections 87406(b)(2) and (3).