

**Georgia State Board of Long-Term Care Facility Administrators**  
**Teleconference Board Meeting Minutes – January 14, 2021**  
Professional Licensing Boards Division of the Secretary of State  
237 Coliseum Drive, Macon, Georgia 31217

**Members Present:**

- Barbara Mitchell, Chair
- Scott Kroell, Vice Chair
- Carolyn Hill
- Dianne Patterson
- Kerry Smith
- Norma Jean Morgan
- Terrell Cook
- Barbara Baxter
- Charlice Byrd
- Dennis Taylor

**Others Present:**

- Brad Coman, Executive Director
- Carla Murray, Licensing Supervisor
- Alexis Hardy, Board Support Specialist
- Mary Brannen, Assistant Attorney General

**Members Absent:**

- Martha Zoller
- Trey Taylor

*Note: Visitors are excused during Executive Session unless scheduled for a personal appearance.*

Barbara Mitchell, Chair, noted that a quorum was present, called the meeting to order at 9:07 a.m., and declared the meeting to be “open” pursuant to the Open and Public Meeting Act, O.C.G.A. §§50-14-1 et seq.

**OPEN SESSION**

**Agenda**

Carolyn Hill moved, Barbara Baxter seconded, and the Board voted to approve the January 14, 2021 agenda as amended.

**Minutes**

Dianne Patterson moved, Barbara Baxter seconded, and the Board voted to approve the following meeting minutes:

- October 8, 2020 – Board Meeting Open Session Minutes and Executive Session minutes

Carolyn Hill moved, Charlice Byrd seconded, and the Board voted to approve the following meeting minutes:

- October 27, 2020 – Board Meeting Open Session Minutes

**Ratification List**

Licenses Issued 10/6/2020 through 1/13/2021 (Total – 25): Kerry Smith moved, Dianne Patterson seconded, and the Board voted to ratify the licenses issued between meetings by application and reinstatement in accordance with Board Rules and Policies.

License #	Licensee
NHA005989	David Michael Hunt
NHA005990	Tiffany Lashae Smith-Lawton
NHA005991	Russell Wayne Tolliver
NHA005992	Ramona Renee Gonzales
NHA005993	Sandra Sue Gant

License #	Licensee
NHA005994	Linton Baskins Holleman, IV
NHA005995	Melissa Bennett Thompson
NHA005996	Lokye Lee
NHA005997	Walter Rene' Berrios Torres
NHA005998	Sophia Byrd

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License #	Licensee
NHA005999	Julie Anne Ludwig
NHA006000	Tamarah A Dicus Wilbert
NHA006001	Brittany Nicole Johnson
NHAP000265	Brentin Dale Ramsey
NHAP000266	Carrol Lynne Janes
NHAP000267	James Philip Herndon
NHAS000287	Orchard View Rehab & Skilled Nursing Center

License #	Licensee
NHAS000288	Berrien Nursing Center
NHAT000445	Harold Dean Tovey
NHAT000446	Jenice Lyn Baker
NHAT000447	Kelly Nicole Roland
NHAT000448	Charmagne Elise Stokley
NHAT000449	Christopher Clay Broome
NHAT000450	Heather Lynn Diebold
NHAT000451	Sarah Lee West

**Rules Adoption Hearing:**

Barbara Mitchell called the rule adoption hearing to order at 9:09 a.m. A court reporter was present. Brad Coman noted that no comments regarding the proposed rules had been received, nor were there any visitors to offer comments regarding the proposed rules.

**BOARD RULE CHAPTER 393-1 ORGANIZATION**

The Board believes it is necessary to amend 393-1 in direct response to HB 987, Section 9, which amends O.C.G.A. Title 43, Chapter 27 to rename the State Board of Nursing Home Administrators the State Board of Long-Term Care Facility Administrators and revises the composition of the Board. The amended Rule is housekeeping in nature and will not have any effect on licensees, applicants, or the general public.

Kerry Smith moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Barbara Baxter seconded the motion and it carried unanimously.

Barbara Baxter moved to adopt 393-1. Dianne Patterson seconded the motion and it carried unanimously.

**Chapter 393-1 ORGANIZATION**

Rule 393-1-.01 Organization

- (a) The term "Board" shall mean the Georgia State Board of ~~Nursing Home~~ Long-Term Care Facility Administrators, which shall consist of ~~thirteen~~ nine members, ~~none of whom may be employees of the United States government or of this state, and the Commissioner of Human Resources or his/her designee, who shall serve as ex officio member of the board with voting rights, and the Commissioner of Community Health or his/her designee, who shall serve as ex officio member s of the Board with voting rights.~~ The members of the Board shall be appointed by the Governor and confirmed by the Senate, as follows:
- (1) ~~one member who is a licensed medical doctor in this state and who is not a nursing home administrator or pecuniarily interested in any nursing home;~~

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- ~~(2) one member who is a registered nurse in this state and who is not a nursing home administrator or pecuniarily interested in any nursing home;~~
  - ~~(3) one member who is an educator specializing in the field of gerontology and who is not a nursing home administrator or pecuniarily interested in any nursing home;~~
  - ~~(4) three members of the public at large who are not nursing home administrators or pecuniarily interested in any nursing home or have any connection with the nursing home industry whatsoever. Two of these three public at large positions shall be appointed from a list of three persons for each of these two positions submitted by the Board of Human Resources. The Governor is vested with complete discretion in appointing the third member for one of these three public at large positions;~~
  - ~~(5) one member who is a hospital administrator in this state, who is the holder of a master's degree in hospital administration, and who is not a nursing home administrator or pecuniarily interested in any nursing home;~~
  - ~~(6) six members, at least one of whom shall represent nonproprietary nursing homes, who are licensed nursing home administrators licensed in this state.~~
  - (1) Three members who are nursing home administrators in this state, at least one of whom shall represent nonproprietary nursing homes;
  - (2) Three members each of whom are either a personal care home administrator or an assisted living community administrator; provided, however, that on and after July 1, 2021, all successor members appointed pursuant to this paragraph shall be either a licensed personal care home administrator or a licensed assisted living community administrator;
  - (3) Two members of the public at large who are not personal care home administrators, assisted living community administrators, or nursing home administrators or pecuniarily interested in any personal care home, assisted living community, or nursing home, or have any connection with the personal care home, assisted living community, or nursing home industry whatsoever; and
  - (4) One member who is a health care professional with at least a bachelor's degree, experience in elder care, and knowledge in dementia care and who is not a personal care home administrator, an assisted living community administrator, or a nursing home administrator or pecuniarily interested in any personal care home, assisted living community, or nursing home, or has any connection with the personal care home, assisted living community, or nursing home industry whatsoever.
- (b) The term for all members shall be three years from the date of appointment. A member may be removed as provided in Code Section 43-1-17, including removal for failing to attend three meetings in one calendar year. All vacancies shall be filled by the Governor for the unexpired terms in accordance with the requirements for appointment to the vacant position.

Authority: O.C.G.A. §§ 43-1-17, 43-1-24, 43-1-25, 43-27-2 and 43-27-5.

**BOARD RULE CHAPTER 393-2 DEFINITIONS**

The Board believes it is necessary to amend 393-2 in direct response to HB 987, Section 9, which amends O.C.G.A. Title 43, Chapter 27 to provide for new and/or revised definitions and requires licensure of certain personal care home administrators and assisted living community administrators.

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The amended Rule is housekeeping in nature and will not have any effect on licensees, applicants, or the general public.

Dennis Taylor moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Dianne Patterson seconded the motion and it carried unanimously.

Terry Cook moved to adopt 393-2. Barbara Baxter seconded the motion and it carried unanimously.

### **Chapter 393-2 DEFINITIONS**

#### Rule 393-2-.01 Definitions

- (a) ~~The term "Administrator" shall mean a person who has met all requirements of the Georgia State Board of Nursing Home Administrators and has been granted a license by the Board to operate, manage, supervise or be in charge of a nursing home~~ operates, manages, supervises, or is in charge of a long-term care facility. The Board does not recognize the title of "Assistant Administrator" and anyone performing the duties as an Administrator in a Long-Term Care Facility must be licensed by the Board.
- (b) ~~The term "Administrator of Record" shall mean a person with a current Georgia Nursing Home Administrators license who is designated by the governing body of a nursing home to serve as its administrator.~~
- (c) ~~The term "Governing Body" shall mean the board of trustees, the partnership, the corporation, the association, the person, or group of persons, who maintains and controls the home and which is legally responsible for its operation.~~
- (d) ~~The Georgia Board does not recognize the title of "Assistant Administrator". Anyone performing the duties as an Administrator in a Nursing Home facility must be licensed by the Board.~~
- (b) The term "Long-Term Care Facility" shall mean a personal care home with 25 beds or more, an assisted living community, or a nursing home licensed in this state.

Authority: O.C.G.A. §§ 43-1-24, 43-1-25, 43-27-1, 43-27-5, 43-27-6 and 50-13-3.

### **BOARD RULE CHAPTER 393-3 LICENSURE BY EXAMINATION**

The Board believes it is necessary to amend 393-3 in direct response to HB 987, Section 9, which amends O.C.G.A. Title 43, Chapter 27 to rename the State Board of Nursing Home Administrators the State Board of Long-Term Care Facility Administrators, requires licensure of certain personal care home administrators and assisted living community administrators, and provides for the establishment of additional licensure criteria. The amended Rule 393-3-.02 is housekeeping in nature. The amended Rule 393-3-.03 is being moved from Rule 393-3-.04 with no substantial changes. Proposed Rule 393-3-.04 sets to establish licensing requirements for personal care home administrators and assisted living community administrators. The Board has considered multiple variations of the proposed rule and finds that this version is the least restrictive way to accomplish the Board's goals and ensure competent practitioners. The Board asked for input from stakeholders, including an advisory group comprised of

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professionals throughout the state and representatives of Georgia Healthcare Association, as the Board went through this process and received support for the amendments/additions.

Dianne Patterson moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Carolyn Hill seconded the motion and it carried unanimously.

Barbara Baxter moved to adopt 393-3. Charlice Byrd seconded the motion and it carried unanimously.

### **Chapter 393-3 LICENSURE BY EXAMINATION**

#### Rule 393-3-.02 Licensure Requirements for Nursing Home Administrators ~~Amended~~

A person who seeks licensure by examination as a nursing home administrator must show the following:

- (a) Be at least 21 years of age;
- (b) Be of reputable and responsible character;
- (c) Be a citizen of the United States or have a registration card indicating valid residency and work status in the United States; all applicants must submit a secure and verifiable document, as defined in Code Section 50-36-2;
- (d) Be qualified to work in a skilled nursing home as outlined in state rules as promulgated by the Georgia Department of Community Health, federal regulations as promulgated by the Centers for Medicare and Medicaid Services, state and federal guidelines and Board rules. The following are the education requirements accepted by the ~~Georgia Nursing Home Administrators~~ Board:
  - 1. A doctorate or master's degree in health administration, health services administration, health care administration, or nursing, or other related healthcare degrees, and a 500 hour Georgia AIT program; or
  - 2. A baccalaureate degree in health administration, health services administration, health care administration, or nursing, or other healthcare related degree, and a 1000 hour Georgia AIT program, or
  - 3. An associate degree in nursing or licensed practical nursing certification with four years of full time work in any skilled nursing facility with the last two years being in management, and a 1500 hour Georgia AIT program; or
  - 4. Six years of full-time work in any skilled nursing facility with the last three years being in management and no less than 48 semester units or 90 quarter units of college, plus a 2000 hour Georgia AIT program, or
  - 5. Eight years full time experience in a skilled nursing facility with the last five years being in management, a High School Diploma, and a 2000 hour Georgia AIT program.
- (e) Management experience is defined as full-time employment as a department manager or licensed professional supervising a staff of two or more employees in a skilled nursing facility or skilled nursing hospital unit.
- (f) Education is defined as one year of college with 45 quarter hours or 24 semester hours of course work at an educational institution accredited by a regional body recognized by the Council of Post-Secondary Accreditation (like SACS).
- (g) If an applicant does not meet these requirements but does have a doctorate, masters or baccalaureate degree in a field outside of healthcare, the applicant would be required to complete a 2000 hour AIT program in Georgia to qualify for licensure.

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Authority: O.C.G.A. §§ 43-1-25, 43-27-4, 43-27-5, 43-27-6, 50-36-1 and 50-36-2.

Rule 393-3-.03 Examination for Nursing Home Administrators

- (1) Upon the Board's approval of the completion of an AIT program, an applicant shall be approved to take the national exam. No applicant shall be approved to register and sit for the national exam prior to the Board approval of the AIT program.
- (2) Following the Board approval of the completion of the AIT program, an applicant shall complete all requirements for licensure as a Nursing Home Administrator within six (6) months of the date of Board approval of the AIT program's completion.
- (3) If the applicant fails to complete all requirements for licensure as a Nursing Home Administrator within the six (6) month timeframe, the application will be withdrawn and the applicant must submit a new application, current documentation and fee.

Authority: O.C.G.A. §§ 43-1-25, 43-27-4, 43-27-5 and 43-27-6.

Rule 393-3-.04 Licensure Requirements for Assisted Living Community Administrators and Personal Care Home Administrators

A person who seeks licensure by examination as an Assisted Living Community Administrator or Personal Care Home Administrator must show the following:

- (a) Be at least 21 years of age;
- (b) Be of reputable and responsible character;
- (c) Be a citizen of the United States or have a registration card indicating valid residency and work status in the United States; all applicants must submit a secure and verifiable document, as defined in Code Section 50-36-2;
- (d) Be qualified to work in an assisted living community or personal care home as outlined in state rules, as promulgated by the Georgia Department of Community Health, and Board rules.
- (e) Proof of completion of one of the following:
  1. At least one year of full-time practical experience in a healthcare facility or managerial/supervisory experience outside of a healthcare facility prior to the date of the application AND certification from a nationally recognized program (e.g. Senior Living University), program accredited by the National Association of Long Term Care Administrator Boards (NAB), or any other program approved by the Board, which teaches the responsibilities of Assisted Living Community Administration, is a minimum of 14 hours in length, and requires passage of a written exam; or
  2. Health Services Executive (HSE) qualification from the National Association of Long Term Care Administrator Boards (NAB); or
  3. Hold a masters degree in a health care related field that includes a minimum of 21 semester hours of coursework concentrated on the administration and management of health care services AND passage of the Resident Care/Assisted Living (RCAL) national examination administered by the National Association of Long Term Care Administrator Boards (NAB); or
  4. Hold an active, unencumbered Georgia license as a Nursing Home Administrator.

Authority: O.C.G.A. §§ 43-1-25, 43-27-4, 43-27-5 and 43-27-6.

**BOARD RULE CHAPTER 393-5 RENEWAL AND REINSTATEMENT PROCESS**

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The Board believes it is necessary to amend 393-5 in direct response to HB 987, Section 9, which amends O.C.G.A. Title 43, Chapter 27 to provide for the establishment of licensure criteria to include license renewal and reinstatement, for personal care home administrators and assisted living community administrators. The proposed amendments to Rule 393-5-.01 set to clarify requirements to renew a license and distinguish between requirements for each license type. The proposed amendments to Rule 393-5-.02 are needed to be consistent with revised Joint Secretary Rule 295-2-.04(c), effective January 1, 2021. This rule amendment reduces the late renewal period from three months to one month after the regular renewal period, and affects all licensees in that they will have four months to renew their license instead of the previous six months each two-year renewal cycle. The proposed amendments to Rule 393-5-.03 set to clarify requirements to reinstate a license and distinguish between requirements for each license type. The Board has considered multiple variations of the proposed rules and finds that this version is the least restrictive way to accomplish the Board's goals and ensure competent practitioners. The Board asked for input from stakeholders, including an advisory group comprised of professionals throughout the state and representatives of Georgia Healthcare Association, as the Board went through this process and received support for the amendments/additions.

Dianne Patterson moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Kerry Smith seconded the motion and it carried unanimously.

Carolyn Hill moved to adopt 393-5. Barbara Baxter seconded the motion and it carried unanimously.

### **Chapter 393-5 RENEWAL AND REINSTATEMENT PROCESS**

#### **Rule 393-5-.01 Renewal of License—Amended**

- (1) ~~Nursing Home~~ Administrator licenses shall expire on December 31st of each odd-numbered year.
- (2) Continuing Education ~~40 hours of CE must be obtained within the current two year active licensure cycle (i.e. between January 1st of every even numbered year after the expiration date, through December 31st of the subsequent odd numbered year/next expiration date), except as indicated below.~~
  - (a) Nursing Home Administrators – Forty (40) hours of CE must be obtained within the current two-year active licensure cycle (i.e. between January 1st of every even numbered year after the expiration date, through December 31st of the subsequent odd numbered year/next expiration date), except as indicated below.
  - (b) Assisted Living Community Administrators and Personal Care Home Administrators - Thirty (30) hours of CE must be obtained within the current two-year active licensure cycle (i.e. between January 1st of every even numbered year after the expiration date, through December 31st of the subsequent odd numbered year/next expiration date), except as indicated below.
- (3) It is the responsibility of the licensee to maintain records of CE hours obtained per renewal for a period of three years.
- (4) The continuing education requirement for the first renewal of a license which was issued in even numbered years shall be half, or twenty (20) hours for Nursing Home Administrators and fifteen (15) hours for Assisted Living Community Administrators and Personal Care Home Administrators, in any combination of the categories set out in ~~Rule Chapter 393-13~~ Rules 393-13-.01 and 393-13-.04.

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- (5) Licensees obtaining initial licensure in odd numbered years shall not be required to obtain any continuing education hours prior to the first renewal cycle. The passing of the qualifying national examination at any time during the biennium shall be equal to twenty (20) hours of continuing education.

Authority: O.C.G.A. §§ 43-1-4, 43-1-25, 43-27-4, 43-27-5, 43-27-6 and 43-27-8.

Rule 393-5-.02 Late Renewal and Late Re-Approvals

- 1- (1) Each ~~NHA~~ Administrator license will expire and must be renewed by December 31st of odd numbered years.

An Administrator ~~A NHA~~ license not renewed by December 31st of odd numbered year will be considered a late renewal until ~~March 31st~~ January 31<sup>st</sup> of the following even numbered year by the payment of the current renewal fee, plus an additional 50% of the renewal fee. Late renewal applications must be accompanied by proof that all CE requirements have been met for the biennium.

- 2- (2) Each Preceptor and/or Training site Board approval will expire and must be reapproved by December 31 of odd numbered years. A Preceptor and/or Training Site not reapproved by December 31st of odd numbered years will be considered a late reapproval until ~~March 31st~~ January 31<sup>st</sup> of the following even numbered year by the payment of the current reapproval administrative fee, plus an additional 50% of the reapproval administrative fee.
- 3- (3) An individual may NOT practice as a ~~nursing home~~ an administrator, or provide preceptor services and/or provide a training site for AITs, if the ~~NHA~~ administrator license has not been renewed, or the preceptor and/or training site reapproved, by ~~December 31st of odd numbered years~~ the expiration of the late renewal period.

Authority: O.C.G.A. §§ 43-1-4, 43-1-24, 43-1-25, 43-27-5, 43-27-6, 43-27-8 and 50-13-3.

Rule 393-5-.03 License Reinstatement-~~Amended~~

- (1) Failure to renew a license within ~~three (3) months~~ one (1) month of its expiration date shall have the same effect as a surrender or revocation.
- (2) Reinstatement shall be at the discretion of the Board.
- (3) In order to be considered for the reinstatement of a surrendered or revoked license, the applicant must submit a completed reinstatement application, pay the required fee and meet one of the following criteria:
- (a) If ~~the an~~ an Administrator license has been lapsed for two (2) years or less from the date of expiration, the applicant for reinstatement must provide certificates of completion for the same amount of continuing education hours required for biennial license renewal as outlined in Rule Chapter 393-13. ~~of forty (40) contact hours or 4.0 CEUs directly related to the practice of Nursing Home Administrator~~ Hours must have been obtained within the two years preceding the date of the application as outlined in Rule Chapter 393-13.
- (b) If the license has been lapsed for more than two (2) years, but less than five (5) years from the date of expiration, the applicant must provide certificates of completion for twice the amount of continuing education hours required for biennial license renewal as outlined in Rule Chapter 393-13. ~~of eighty (80) contact hours or 8.0 CEUs directly related to the practice of Nursing Home Administrator~~ Hours must have been obtained within the two years preceding the date of the application as outlined in Rule Chapter 393-13.

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- (c) If the license has been lapsed for five (5) or more years from date of expiration, the applicant must provide verification of having retaken and passed the qualifying NAB exam, or another board recognized written or oral examination, within one year of the date of the application.
- (d) If an applicant for reinstatement has been practicing as a Nursing Home Administrator in ~~an approved~~ another state or jurisdiction, and holds a current unencumbered license, for a period of at least two (2) years preceding the date of the reinstatement application, the applicant must provide a current, official verification of licensure from the state or jurisdictions licensing authority, and certificates of completion of forty (40) contact hours or 4.0 CEUs directly related to the practice of Nursing Home Administrator within two (2) years preceding the date of the application as outlined in Rule Chapter 393-13.
- (e) If an applicant for reinstatement has been practicing as a Personal Care Home Administrator or Assisted Living Community Administrator in another state or jurisdiction, and holds a current unencumbered license, if that state requires licensure, for a period of at least two (2) years preceding the date of the reinstatement application, the applicant must provide a current, official verification of licensure from the state or jurisdictions licensing authority, and certificates of completion of thirty (30) contact hours or 3.0 CEUs directly related to the practice of Long-Term Care Facility Administration within two (2) years preceding the date of the application as outlined in Rule Chapter 393-13.
- (4) The continuing education requirement for the first renewal of licenses which were reinstated in even numbered years shall be ~~twenty (20) hours~~ half the amount of continuing education hours required for biennial license renewal as outlined in Rule Chapter 393-13, in any combination of the categories set out in Rule Chapter 393-13.
- (5) Reinstated licenses issued in odd numbered years shall not be required to obtain any continuing education hours prior to the first renewal cycle.
- (6) A surrendered or revoked license, due to other factors not related to allowing a license to expire, is subject to reinstatement at the discretion of the Board. The Board may restore or reissue a license and as a condition thereof may impose any disciplinary action.

Authority: O.C.G.A. §§ 43-1-4, 43-1-24, 43-1-25, 43-27-4, 43-27-5, 43-27-6, 43-27-8 and 43-27-9.

## **BOARD RULE CHAPTER 393-6 DISCIPLINARY ACTION**

The Board believes it is necessary to amend 393-6 in direct response to HB 987, Section 9, which amends O.C.G.A. Title 43, Chapter 27 to require licensure of certain personal care home administrators and assisted living community administrators. The amendments to Rule 393-6-.01 and Rule 393-6-.02 are housekeeping in nature and remove outdated references and add references to the newly licensed professions.

Kerry Smith moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Dianne Patterson seconded the motion and it carried unanimously.

Barbara Baxter moved to adopt 393-6. Dianne Patterson seconded the motion and it carried unanimously.

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**Chapter 393-6 DISCIPLINARY ACTION**

Rule 393-6-.01 Grounds for Disciplinary Action

After notice and a hearing in accordance with the Georgia Administrative Procedure Act, as amended, the Board may discipline a nursing home administrator, personal care home administrator, or assisted living community administrator upon evidence that the administrator has

- (a) violated any of the provisions of the law pertaining to the licensing of nursing home administrators, personal care home administrators, or assisted living community administrators or the rules and regulations of the Board pertaining thereto;
- (b) been convicted of a crime involving moral turpitude;
- (c) practiced fraud, deceit, or misrepresentation in securing or procuring a nursing home administrator license, a personal care home administrators license, or an assisted living community administrators license;
- (d) is incompetent to engage in the practice of ~~nursing home~~ Long-Term Care Facility administration or to act as a nursing home administrator, personal care home administrator, or assisted living community administrator;
- (e) committed acts of misconduct including fraud, deceit or misrepresentation in the operation of a ~~nursing home~~ Long-Term Care Facility under his/her jurisdiction;
- (f) displayed an inability to practice a business or profession with reasonable skill and safety to the public or has become unable to practice the licensed business or profession with reasonable skill and safety to the public by reason of illness, use of alcohol, drugs, narcotics, chemicals, or any other type of material;
- (g) practiced without a current valid license;
- (h) wrongfully transferred or surrendered possession, either temporarily or permanently, his/her license or certificate to any other person;
- (i) paid, given, has caused to be paid or given or offered to pay or to give to any person a commission or other valuable consideration for the solicitation or procurement, either directly or indirectly, of ~~nursing home~~ Long-Term Care Facility patronage;
- (j) been guilty of fraudulent, misleading or deceptive advertising;
- (k) falsely impersonated another licensee;
- (l) failed to exercise a professional regard for the safety, health and life of the patient;
- (m) willfully permitted unauthorized disclosure of information relating to a patient or his records;  
or
- (n) discriminated in respect to patients, employees, or staff on account of race, religion, color, national origin or sex.

Authority: O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-27-4, 43-27-5, 43-27-6, 43-27-11 and 50-13-3.

Rule 393-6-.02 Disciplinary Actions

- (1) When the Board finds that any ~~nursing home~~ administrator should be disciplined in accordance with these rules and regulations, the Board may take any one or more of the following actions:
  - (a) administer a public or private reprimand which may include a fine, but a private reprimand shall not be disclosed to any person except the administrator; or
  - (b) suspend the administrator's license for a an indefinite period; or
  - (c) revoke the administrator's license; or

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- (d) condition the penalty upon the administrator's submission to the care, counseling, or treatment of physicians or other professional persons, and the completion of such care, counseling, or treatment, as directed by the Board.
- (2) In addition to and in conjunction with the foregoing actions, the Board may make a finding adverse to the administrator and impose judgment and penalty that may include a fine for each violation of a law, rule, or regulation relating to the licensed business or profession, but suspend enforcement thereof and place the administrator on probation, which probation may be vacated upon noncompliance with such reasonable terms as the Board may impose.

Authority: O.C.G.A. §§ 43-1-19, 43-1-25, 43-27-4, 43-27-5, 43-27-6, 43-27-11 and 50-13-3.

### **BOARD RULE CHAPTER 393-9 RECIPROCITY**

The Board believes it is necessary to amend 393-9 in direct response to HB 987, Section 9, which amends O.C.G.A. Title 43, Chapter 27 to provide for new and/or revised definitions and provides for the establishment of licensure criteria. The amendments to Rule 393-9-.01 and Rule 393-9-.03 are housekeeping in nature and remove outdated references and add references to the newly licensed professions. Rule 393-9-.02 includes amendments that are housekeeping in nature, but also an amendment that will allow the Board to accept passing results of predecessor licensing examinations, before the national examination was administered by NAB. Proposed Rule 393-9-.04 sets to establish licensing requirements for personal care home administrators and assisted living community administrator applicants by reciprocity or endorsement. The Board has considered multiple variations of the proposed rules and finds that this version is the least restrictive way to accomplish the Board's goals and ensure competent practitioners. The Board asked for input from stakeholders, including an advisory group comprised of professionals throughout the state and representatives of Georgia Healthcare Association, as the Board went through this process and received support for the amendments/additions.

Terry Cook moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Carolyn Hill seconded the motion and it carried unanimously.

Barbara Baxter moved to adopt 393-9. Dianne Patterson seconded the motion and it carried unanimously.

### **CHAPTER 393-9 RECIPROCITY**

Rule 393-9-.01 Application by Reciprocity. ~~Amended~~

- (1) Licensure by reciprocity refers to licensure for applicants who hold a current Nursing Home Administrators, Personal Care Home Administrator, or Assisted Living Community Administrator license in other states and are applying for consideration of licensure in Georgia as a Nursing Home Administrator, Personal Care Home Administrator, or Assisted Living Community Administrator.
- (2) The Reciprocity application and other Board forms are available on the Board web site: [www.sos.ga.gov/plb/nursinghome](http://www.sos.ga.gov/plb/nursinghome).
- (3) The Board may in its discretion deny licensure to an applicant who has had disciplinary action taken against him or her by any licensing authority or professional organization, or whose record

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reflects any other matter that puts in question his or her competency to be a Nursing Home Administrator, Personal Care Home Administrator, or Assisted Living Community Administrator.

Authority: O.C.G.A. §§ 43-1-19, 43-1-25, 43-27-4, 43-27-5, 43-27-6 and 43-27-7.

Rule 393-9-.02 Qualifications of Nursing Home Administrator Applicants by Reciprocity. ~~Amended~~

- (1) Licensure in Georgia by Reciprocity may be granted to a Nursing Home Administrator who is at least 21 years of age, of reputable and responsible character, and a citizen of the United States or a qualified alien under the Federal Immigration and Naturalization Act, and be lawfully present in the United States, and must satisfy the following requirements:
  - (a) Applicants must submit to the Board an Application by Reciprocity, the fee, Affidavit of Applicant and shall cause verification of a current, unencumbered, nursing home administrator's license be sent directly to the Georgia Board. In addition, include a verification of licensure from every other state or jurisdiction in which the licensee has ever held a license, whether active or not.
  - (b) Applicants must have taken and passed the Nursing Home Administration national examination administered by the National Association of ~~Boards of Examiners of Long Term Care Administrators~~ Administrator Boards (NAB) or a board recognized predecessor examination.
  - (c) Applicants for licensure by reciprocity must meet all licensure requirements that are substantially equivalent to those required in this state.
- (2) The Board may in its discretion deny licensure to an applicant who has had disciplinary action taken against him or her by any licensing authority or professional organization, or whose record reflects any other matter that puts in question his or her competency to be a Nursing Home Administrator.

Authority: O.C.G.A. §§ 43-1-7, 43-1-10, 43-1-19, 43-1-25, 43-27-4, 43-27-5, 43-27-6, 43-27-7 and 50-36-1.

Rule 393-9-.03 Military Spouses and Veterans Licensure by Reciprocity

- (1) Definitions. As used in this Rule:
  - (a) "AIT" means "administrator in training" as used in Chapter 393-4 of the Board Rules.
  - (b) "Long-Term Care Facility Administrator" means a person licensed to practice as a nursing home administrator, personal care home administrator, or assisted living community administrator under the provisions of O.C.G.A. Chapter 27 of Title 43.
  - (c) ~~(b)~~ "Military" means the United States armed forces, including the National Guard.
  - (d) ~~(c)~~ "Military spouse" means the spouse of a service member or transitioning service member.
  - ~~(d)~~ "Nursing home administrator" or "NHA" means a person licensed to practice as a nursing home administrator of a nursing home under the provisions of O.C.G.A. Chapter 27 of Title 43.
  - (e) "Service member" means an active or reserve member of the United States armed forces, including the National Guard.
  - (f) "Transitioning service member" means a member of the military on active duty status or on separation leave who is within 24 months of retirement or 12 months of separation.
- (2) Licensure by reciprocity. A service member, transitioning service member, or military spouse may qualify for a license by reciprocity where the applicant:

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- (a) holds a license in good standing from another state for which the training, experience, and testing substantially meet or exceed the requirements to obtain a license as a NHA Long-Term Care Facility Administrator in Georgia; and
  - (b) has submitted to the Board a verification of licensure from the appropriate licensing agency of another state showing that the applicant's active license is in good standing in that state; and
  - (c) has submitted documentation satisfactory to the Board which verifies the applicant's status as a service member, transition service member, or military spouse as defined in O.C.G.A. § 43-1-34; and
  - (d) has submitted a completed application for licensure by reciprocity on a form approved by the Board, has paid the required fee, and has requested licensure by reciprocity.
- (3) AIT training and experience. In connection with an application for licensure, an applicant who is a service member, transitioning service member, or military spouse may submit documentation reflecting the applicant's training and experience obtained while the applicant, or the applicant's spouse, was in the military as provided by O.C.G.A. § 43-1-34. To satisfy the requirements for licensure in Georgia, such military training and experience shall:
- (a) substantially meet or exceed the training and experience requirements for licensure as provided in the Board's rules and statute; and
  - (b) have been obtained in an appropriately certified, registered, or licensed nursing home facility under the supervision of a licensed NHA nursing home administrator; and
  - (c) be documented to the satisfaction of the Board for the purposes of licensure.

Authority: O.C.G.A. §§ 43-1-34, 43-27-1, 43-27-5, 43-27-6, and 43-27-7.

Rule 393-9-.04 Qualifications of Personal Care Home Administrator and Assisted Living Community Administrator Applicants by Reciprocity

- (1) Licensure in Georgia by Reciprocity may be granted to a Personal Care Home Administrator or Assisted Living Community Administrator who is at least 21 years of age, of reputable and responsible character, and a citizen of the United States or a qualified alien under the Federal Immigration and Naturalization Act, and be lawfully present in the United States, and must satisfy the following requirements:
- (a) Applicants must submit to the Board an Application by Reciprocity, the fee, Affidavit of Applicant and shall cause verification of a current, unencumbered, administrator's license be sent directly to the Georgia Board. In addition, applicants shall include a verification of licensure from every other state or jurisdiction in which the licensee has ever held a license, whether active or not.
  - (b) Applicants must have taken and passed the Nursing Home Administration national examination or Resident Care/Assisted Living national examination administered by the National Association of Long Term Care Administrator Boards (NAB), a board recognized predecessor examination, or another board recognized written or oral examination.
  - (c) Applicants for licensure by reciprocity must meet all licensure requirements that are substantially equivalent to those required in this state.
  - (d) Applicants coming from a state that does not require licensure are not eligible for reciprocity and are required to apply for initial licensure by exam.
- (2) The Board may in its discretion deny licensure to an applicant who has had disciplinary action taken against him or her by any licensing authority or professional organization, or whose record reflects any other matter that puts in question his or her competency to be a Personal Care Home Administrator or Assisted Living Community Administrator.

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Authority: O.C.G.A. §§ 43-1-7, 43-1-10, 43-1-19, 43-1-25, 43-27-4, 43-27-5, 43-27-6, 43-27-7 and 50-36-1.

## **BOARD RULE CHAPTER 393-10 PROCEDURAL RULES**

The Board believes it is necessary to amend 393-10 in direct response to HB 987, Section 9, which amends O.C.G.A. Title 43, Chapter 27 to rename the State Board of Nursing Home Administrators the State Board of Long-Term Care Facility Administrators. The amendment replaces the outdated reference and is housekeeping in nature. The amended rule will not have any effect on licensees, applicants, or the general public.

Dianne Patterson moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Barbara Baxter seconded the motion and it carried unanimously.

Charlice Byrd moved to adopt 393-10. Barbara Baxter seconded the motion and it carried unanimously.

### **Chapter 393-10 PROCEDURAL RULES**

#### Rule 393-10-.01 Procedural Rules

The Georgia State Board of ~~Nursing Home~~ Long-Term Care Facility Administrators hereby adopts by reference as its permanent rules Chapters 295-3 through 295-13, and any future amendments thereto, Rules and Regulations of the Office of the Division Director, Professional Licensing Boards Division, relating to procedures for Hearings before the several Professional Licensing Boards.

Authority: O.C.G.A. §§ 43-1-25 and 43-27-5.

## **BOARD RULE CHAPTER 393-12 CHANGE OF STATUS**

The Board believes it is necessary to amend 393-12 in direct response to HB 987, Section 9, which amends O.C.G.A. Title 43, Chapter 27 to rename the State Board of Nursing Home Administrators the State Board of Long-Term Care Facility Administrators, requires licensure of certain personal care home administrators and assisted living community administrators, and provides for the establishment of additional licensure criteria. The proposed amendments to Rule 393-12-.01 are housekeeping in nature and remove outdated references and add references to the newly licensed professions. The proposed amendments to Rule 393-12-.02 are needed to be consistent with Joint Secretary Rule 295-15-.01 and serve to clarify the requirements for a licensee attempting to change their license status from inactive to active. The Board has considered multiple variations of the proposed rule and finds that this version is the least restrictive way to accomplish the Board's goals and ensure competent practitioners. The amended rule will not have any effect on licensees, applicants, or the general public.

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Dianne Patterson moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Barbara Baxter seconded the motion and it carried unanimously.

Barbara Baxter moved to adopt 393-12. Dennis Taylor seconded the motion and it carried unanimously.

### **Chapter 393-12 CHANGE OF STATUS**

#### **Rule 393-12-.01 Change from Active to Inactive**

Any licensee who holds a current license and who is not practicing as a ~~nursing home~~ an administrator may request the Board to place that license into an "inactive status" upon written application to the Board and payment of a non-refundable inactive status application fee. See fee schedule. The Board, in its sole discretion, may grant or deny the request for inactive status. Any licensee whose license is on inactive status may not engage in the practice of ~~nursing home administration~~ Long-Term Care Facility Administration or serve as the administrator of record of a ~~nursing home~~.

Authority: O.C.G.A. §§ 43-1-10, 43-1-19, 43-1-22, 43-1-25, 43-27-4, 43-27-5, 43-27-6 and 50-13-3.

#### **Rule 393-12-.02 Change from Inactive to Active**

In order to reactivate an inactive license, submit the appropriate application, forms, and fee to the Board.

- (a) If a license is inactive for ~~twelve months or less, but not more than twenty four months,~~ twelve (12) months to twenty-four months (24), the applicant must submit ~~forty (40) hours of CE~~ certificates of completion for the same amount of continuing education hours required for biennial license renewal as outlined in Rule Chapter 393-13, obtained since the Board's last renewal period.
- (b) If a license is inactive for ~~twenty four months, but not more than 36 months~~ twenty-five (25) months to thirty-six (36) months, ~~eighty (80) hours of CE~~ the applicant must submit certificates of completion for twice the amount of continuing education hours required for biennial license renewal as outlined in Rule Chapter 393-13, obtained since the Board's last renewal period ~~must be submitted to the Board.~~
- (c) If the license has been inactive more than 36 months, the applicant must meet current application requirements and either submit ~~eighty (80) hours of CE~~ twice the amount of continuing education hours required for biennial license renewal as outlined in Rule Chapter 393-13, obtained since the Board's last renewal period, OR take and pass ~~national exam~~ the qualifying NAB exam, or another board recognized written or oral examination.
- (d) If the inactive licensee holds an active license ~~from the Georgia Board's approved state's list in~~ another state and has been employed for at least one year as a ~~Nursing Home~~ an Administrator prior to the date of the application, ~~then~~ the applicant must submit ~~an application, fee, and~~ verification of an active, current license from the state or jurisdiction in which the license is held.

Authority: O.C.G.A. §§ 43-1-10, 43-1-19, 43-1-22, 43-1-25, 43-27-4, 43-27-5, 43-27-6, 43-27-8 and 50-13-3.

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**BOARD RULE CHAPTER 393-13 CONTINUING EDUCATION**

The Board believes it is necessary to amend 393-13 in direct response to HB 987, Section 9, which amends O.C.G.A. Title 43, Chapter 27 to rename the State Board of Nursing Home Administrators the State Board of Long-Term Care Facility Administrators and provides for the establishment of additional licensure criteria. The proposed amendments to Rule 393-13-.01 specify that the continuing education requirements contained in the Rule are applicable only to Nursing Home Administrators, clarifies that the portion of required in-person hours may also be completed via live webinar, and adds two healthcare subject areas in which licensees may obtain continuing education. The proposed amendments to Rule 393-13-.02 replace references to "Nursing Home" with "Long-Term Care Facility," and are housekeeping in nature. The proposed amendments to Rule 393-13-.03 replaces references to "Nursing Home" with "Long Term Care Facility" and corrects the outdated reference to the end of the late renewal period, which is now January 31<sup>st</sup>, to be consistent with revised Joint Secretary Rule 295-2-.04(c), effective January, 1, 2021. Proposed Rule 393-13-.04 sets to establish the continuing education requirements for the newly licensed personal care home administrators and assisted living community administrators. The Board has considered multiple variations of the proposed amendments/additions of rules and finds that this version is the least restrictive way to accomplish the Board's goals and ensure competent practitioners. The Board asked for input from stakeholders, including an advisory group comprised of professionals throughout the state and representatives of Georgia Healthcare Association, as the Board went through this process and received support for the amendments/additions.

Barbara Baxter moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Scott Kroell seconded the motion and it carried unanimously.

Scott Kroell moved to adopt 393-13. Kerry Smith seconded the motion and it carried unanimously.

**Chapter 393-13 CONTINUING EDUCATION**

**Rule 393-13-.01 Continuing Education Requirements for Nursing Home Administrators**

- (1) Forty (40) clock hours of continuing education are required biennially to renew a license.
- (2) A minimum of six (6) of the forty (40) hours shall be on Professional Development/Integrity and/or Resident Rights.
- (3) The remaining thirty-four (34) clock hours shall be in any or all of the following health care subject areas:
  - (a) Resident Centered Care and Quality of Life to include Abuse, Neglect, Exploitation and Investigation;
  - (b) Gerontology and Special Populations;
  - (c) Human Resources;
  - (d) Finance/Financial Practice/Financial Integrity;
  - (e) Leadership Skills and Management;
  - (f) Ancillary Services Management/Development;
  - (g) Regulatory Compliance;
  - (h) Quality Assurance;

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- (i) Emergency Preparedness training;
  - (j) Infection Control;
  - (k) Alzheimers and Dementia Care.
- (4) Online study from a NAB/N.C.E.R.S. approved course is allowed (see #5).
- (5) No more than twenty (20) clock hours of the total 40 clock hours may be obtained online. At least 20 clock hours must be obtained in-person or via live webinar that is instructor led with student interaction, where student participation is monitored and verified.
- (6) The continuing education requirement for the first renewal of a license which was issued in even numbered years shall be twenty (20) hours in any combination of the categories set out above. Licensees obtaining licensure in odd numbered years shall not be required to obtain any continuing education hours prior to the first renewal cycle. The passing of the qualifying national examination at any time during the biennium shall be equal to twenty (20) hours of continuing education.
- (7) Continuing education hours must be obtained within the two year biennium renewal cycle (i.e. January 1st of Even Numbered years and December 31st of Odd Numbered years).

Authority: O.C.G.A. §§ 43-1-24, 43-1-25, 43-27-4, 43-27-5, 43-27-6 and 43-27-8.

Rule 393-13-.02 Continuing Education Sources

- (1) Continuing education hours may be obtained by participation in activities sponsored, co-sponsored or approved by any of the below listed sources. The licensee's certificate of attendance must document the number of clock hours of educational content in each activity and indicate the source of education (NAB, N.C.E.R.S, etc.) or it may not be accepted as proof of completion. Continuing education hours must be obtained within the two (2) year biennium renewal cycle (i.e. January 1st of Even Numbered years and December 31st of Odd Numbered years).
- (a) Professional trade associations in long-term care or out of State Nursing Home Long-Term Care Facility Administrator Licensing Boards, OR,
  - (b) Educational institutions accredited by a regional body recognized by the Council on Post Secondary Accreditation. The educational institution shall certify the number of clock hours of educational content in each activity. One semester hour of course credit shall be equivalent to fifteen (15) clock hours of continuing education, and one (1) academic quarter hour of course credit shall be equivalent to ten (10) clock hours of continuing education, OR,
  - (c) National Continuing Education Review Services (N.C.E.R.S.) of the National Association of ~~Boards of Nursing Home Administrators~~ Long Term Care Administrator Boards (NAB). Continuing education hours may be obtained by participating in programs approved by N.C.E.R.S., OR,
  - (d) Government Agencies, Educational Institutions and Hospitals. Continuing education hours may be obtained by participating in "in-service" training, courses or workshops pertaining to long term care sponsored by federal, state or local government agencies, educational institutions and licensed hospitals.
- (2) Educational hours earned from an unapproved source shall NOT be counted toward the required continuing education hours for any two year biennium renewal cycle.

Authority: O.C.G.A. §§ 43-1-24, 43-1-25, 43-27-4, 43-27-5 and 43-27-8.

Rule 393-13-.03 Continuing Education Documentation

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- (1) Each licensee shall maintain for three (3) years documentation of the continuing education activities they complete. The Board will not maintain continuing education files for licensees. Do NOT request providers submit your certificates of attendance directly to the Board. It is the licensee's responsibility to maintain the documents.
- (2) Each licensee shall attest to having met the continuing education requirement on their biennial license renewal. Documentation of these activities should be retained by the licensee and not sent to the Board unless the licensee is selected by the Board for a continuing education audit.
- (3) The Board shall randomly audit licenses during each renewal period. If a licensee is audited, the licensee shall submit a Board approved CE Report or the transcript to the Board for approval no later than December 31st of the odd numbered renewal year (expiration date). All continuing education certificates of attendance or listings must have been obtained within the two year biennium renewal cycle (i.e. January 1st of Even Numbered years and December 31st of Odd Numbered years) or it may not be accepted as proof of completion.
- (4) If the audited licensee fails to submit the required CE documentation to the Board for review, licensee may be subject to Board discipline and the license will not be renewed until the Board has received and approved the required CE documentation.
- (5) In the event the Board determines that any or all of the clock hours which the licensee obtained failed to meet the subject area requirements set out in the Rules of the Georgia State Board of ~~Nursing Home~~ Long-Term Care Facility Administrators, Chapter 393-13-.01, the Board shall notify the licensee, by e-mail or in writing, of the failure. The license will then be placed in "Renewal Pending" status.
- (6) The licensee may correct any identified deficient continuing education hours by ~~March 31st of even numbered years~~ the end of the license late renewal period referenced in Rule 393-5-.02. Failure to correct the deficiency within this period shall result in ~~revocation of the license by operation of law and disciplinary action~~ in accordance with Board rules, Chapter 393-5.

Authority: O.C.G.A. §§ 43-1-24, 43-1-25, 43-27-4, 43-27-5 and 43-27-8.

Rule 393-13-.04 Continuing Education Requirements for Personal Care Home Administrators and Assisted Living Community Administrators

- (1) Thirty (30) clock hours of continuing education are required biennially to renew a license.
- (2) Clock hours shall be in any or all of the following health care subject areas:
  - (a) Resident Centered Care and Quality of Life to include Abuse, Neglect, Exploitation and Investigation;
  - (b) Gerontology and Special Populations;
  - (c) Human Resources;
  - (d) Finance/Financial Practice/Financial Integrity;
  - (e) Leadership Skills and Management;
  - (f) Ancillary Services Management/Development;
  - (g) Regulatory Compliance;
  - (h) Quality Assurance;
  - (i) Emergency Preparedness training;
  - (j) Infection Control;
  - (k) Proxy Caregiver/Medication Management;
  - (l) Alzheimers and Dementia Care.
- (3) Online study from a NAB/N.C.E.R.S. approved course is allowed (see #4).
- (4) No more than fifteen (15) clock hours of the total thirty (30) clock hours may be obtained online. At least fifteen (15) of the required thirty (30) clock hours must be obtained in-person or via live

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webinar that is instructor led with student interaction, where student participation is monitored and verified.

- (5) The continuing education requirement for the first renewal of a license which was issued in even numbered years shall be fifteen (15) hours in any combination of the categories set out above. Licensees obtaining licensure in odd numbered years shall not be required to obtain any continuing education hours prior to the first renewal cycle. The passing of the qualifying national examination at any time during the biennium shall be equal to twenty (20) hours of continuing education.
- (6) Continuing education hours must be obtained within the two year biennium renewal cycle (i.e. January 1st of Even Numbered years and December 31st of Odd Numbered years).
- (7) If an individual holds more than one license issued by this Board they are required to complete the highest number of continuing education hours which are required to renew any one license. A maximum of 40 clock hours total may be required.

Authority: O.C.G.A. §§ 43-1-24, 43-1-25, 43-27-4, 43-27-5, 43-27-6 and 43-27-8.

The rules adoption hearing was adjourned at 9:28 a.m.

### **EXECUTIVE SESSION**

Barbara Baxter moved, Scott Kroell seconded, and the Board voted to enter into Executive Session at 9:31 a.m. in accordance with O.C.G.A. §43-1-2(k) (1) (2), § 50-14-2 (1), and 43-1-19(h) (2) & (4), for the purpose of discussing and reviewing complaints, and to hear the Attorney General's Report.

At the conclusion of Executive Session Barbara Mitchell, Chair, declared the Board meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq., at 9:56 a.m. No votes were taken in Executive Session.

### **OPEN SESSION**

Barbara Baxter moved, Dianne Patterson seconded, and the motion was carried unanimously by the Board to ratify the following recommendations made during Executive Session:

#### **Complaints**

NHA200020 – Close – Facility in compliance.

NHA210008 – Close – Facility in compliance.

NHA210010 – Close – Facility in compliance.

NHA210013 – Close – Facility in compliance.

NHA210014 – Close – Facility in compliance.

NHA210017 – Close – Lack of information / no violation.

NHA210018 – Close – No violation.

NHA210022 – Close – Facility in compliance.

NHA210023 – Table to April 8, 2021 Board meeting. Staff to obtain additional information from respondent.

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NHA210024 – Close – Refer to Department of Community Health.

NHA210003 – Close – Facility in compliance.

**Attorney General’s Report**

The Board reviewed and accepted the Attorney General’s report, which included information on any cases referred for action or requests for advice. The Board made the recommendation to release the Attorney General’s Memorandum of Authority for Amendments to Rules Chapters 393-1, 393-2, 393-3, 393-5, 393-6, 393-9, 393-10, 393-12, and 393-13.

**OTHER BUSINESS**

**Applications and Fees**

The Board reviewed proposed applications for licensure for Assisted Living Community Administrators and Personal Care Home Administrators. The Board also reviewed the current fee schedule and discussed fees for the two new license types. Barbara Baxter motioned, Carolyn Hill seconded, and the Board voted to accept the proposed applications for licensure, and to set the fees for the new license types to mirror the fees already established for Nursing Home Administrators.

**Proposed Board Seal**

The Board reviewed a proposed Board seal reflecting the name change from the Georgia State Board of Nursing Home Administrators to the Georgia State Board of Long-Term Care Facility Administrators. Dianne Patterson moved, Scott Kroell seconded, and the Board voted to accept the seal as presented.

There being no further business, Barbara Mitchell, Chair, declared the meeting adjourned at 10:24 a.m.

The next meeting of the Georgia State Board of Long-Term Care Facility Administrators will be held Tuesday, April 8, 2021, at 9:00 a.m. at 237 Coliseum Drive, Macon, Georgia.

Minutes recorded by: Alexis Hardy, Board Support Specialist  
Minutes reviewed and edited by: Brad Coman, Executive Director  
Minutes approved on April 8, 2021

  
Barbara Mitchell, Chair

  
Brad Coman, Executive Director