

# TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

## CHAPTER 37 – BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Examiners for Nursing Home Administrators intends to adopt the rule cited as 21 NCAC 37B .0104, and amend the rules cited as 21 NCAC 37D .0604 and .0605.*

**Link to agency website pursuant to G.S. 150B-19.1(c):** [www.ncbenha.org](http://www.ncbenha.org)

**Proposed Effective Date:** *May 1, 2023*

**Public Hearing:**

**Date:** *January 25, 2023*

**Time:** *10:00 a.m.*

**Location:** *NC State Board of Examiners for Nursing Home Administrators, 3733 National Drive, Suite 110, Raleigh NC 27612*

**Reason for Proposed Action:** *The Board needed a rule to explain what forms of payments the Board accepts. The other two rules pertain to the National Exam ensuring we are maintaining the standards accepted across the nation concerning the passing points as well as the Domains of Practice/Subject Areas of study.*

**Comments may be submitted to:** *Martha N. Bell, 3733 National Drive, Suite 110, Raleigh, NC 27612; email [nhaboard@ncbenha.org](mailto:nhaboard@ncbenha.org)*

**Comment period ends:** *March 6, 2023*

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

**Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

- State funds affected
- Local funds affected
- Substantial economic impact ( $\geq$  \$1,000,000)
- Approved by OSBM
- No fiscal note required

### SUBCHAPTER 37B – DEPARTMENTAL RULES

#### SECTION .0100 – GENERAL PROVISIONS

##### **21 NCAC 37B .0104      FEES**

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

*History Note:      Authority G.S. 90-280;  
                                 Eff. May 1, 2023.*

### SUBCHAPTER 37D - NEW LICENSES

#### SECTION .0600 – NATIONAL EXAM

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

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

*History Note:      Authority G.S. 90-285;  
                                 Eff. February 1, 1976;  
                                 Readopted Eff. October 1, 1977; December 15, 1977;  
                                 Amended Eff. May 1, 1989;  
                                 Transferred and Recodified from 21 NCAC 37A .0801 Eff. April 1, 1996;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2014;  
Amended Eff. May 1, 2023.*

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

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

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

*History Note: Authority G.S. 90-278; 90-285;  
Eff. February 1, 1976;  
Readopted Eff. October 1, 1981; December 15, 1977;  
Amended Eff. August 2, 1993;  
Transferred and Recodified from 21 NCAC 37A .0701 Eff. April 1, 1996;  
Amended Eff. July 1 2004; July 1, 2000; April 1, 1996;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2014;  
Amended Eff. May 1, 2023.*