

Chapter 246-843 WAC
NURSING HOME ADMINISTRATORS

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

246-843-001 Source of authority—Title. [Statutory Authority: RCW 18.52.061. WSR 93-13-004 (Order 371B), § 246-843-001, filed 6/3/93, effective 7/4/93. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-001, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-001, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 78-02-009 (Order PL 282), § 308-54-010, filed 1/6/78; Order PL 107, § 308-54-010, filed 3/3/71.] Repealed by WSR 00-01-073, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapters 18.52 and 34.05 RCW.

246-843-015 Nursing homes temporarily without an administrator. [Statutory Authority: Chapters 18.52 and 34.05 RCW. WSR 00-01-071, § 246-843-015, filed 12/13/99, effective 1/13/00.] Repealed by WSR 02-17-055, filed 8/15/02, effective 9/15/02. Statutory Authority: RCW 18.52.061. Later promulgation, see WAC 388-97-160(4).

246-843-030 Board of examiners—Meetings. [Statutory Authority: RCW 18.52.100. WSR 91-06-060 (Order 141B), recodified as § 246-843-030, filed 3/1/91, effective 4/1/91; Order PL 107, § 308-54-030, filed 3/3/71.] Repealed by WSR 00-01-073, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapters 18.52 and 34.05 RCW.

246-843-040 Duties and responsibilities. [Statutory Authority: Chapters 18.52 and 34.05 RCW. WSR 00-01-073, § 246-843-040, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-040, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-040, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 78-02-009 (Order PL 282), § 308-54-040, filed 1/6/78; Order PL 107, § 308-54-040, filed 3/3/71.] Repealed by WSR 16-17-127, filed 8/23/16, effective 9/23/16. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW.

246-843-050 Board of examiners—Officers and duties. [Statutory Authority: RCW 18.52.100. WSR 91-06-060 (Order 141B), recodified as § 246-843-050, filed 3/1/91, effective 4/1/91; Order PL 107, § 308-54-050, filed 3/3/71.] Repealed by WSR 00-01-073, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapters 18.52 and 34.05 RCW.

246-843-060 Program manager—Hiring and duties. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-060, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-060, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 87-02-008 (Order PM 633), § 308-54-060, filed 12/29/86; Order PL 126, § 308-54-060, filed 6/1/72; Order PL 107, § 308-54-060, filed 3/3/71.] Repealed by WSR 99-03-069, filed 1/18/99, effective 2/18/99. Statutory Authority: RCW 18.52.061.

246-843-072 Examination candidate procedures. [Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075. WSR 00-01-072, § 246-843-072, filed 12/13/99, effective 1/13/00.] Repealed by WSR 01-03-114, filed 1/22/01, effective 2/22/01. Statutory Authority: RCW 18.52.061.

246-843-073 Examination score. [Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075. WSR 00-01-072, § 246-843-073, filed 12/13/99, effective 1/13/00.] Repealed by WSR 16-17-127, filed 8/23/16, effective 9/23/16. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW.

246-843-074 Examination review and appeal. [Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075. WSR 00-01-072, § 246-843-074, filed 12/13/99, effective 1/13/00.] Repealed by WSR 01-03-114, filed 1/22/01, effective 2/22/01. Statutory Authority: RCW 18.52.061.

246-843-080 Application for examination. [Statutory Authority: RCW 18.52.061. WSR 93-23-034, § 246-843-080, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-080, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-080, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 87-02-008 (Order PM 633), § 308-54-080, filed 12/29/86; Order PL 107, § 308-54-080, filed 3/3/71.] Repealed by WSR 00-01-072, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075.

246-843-100 Disqualification—Reexamination. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-100, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-100, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 87-02-008 (Order PM 633), § 308-54-100, filed 12/29/86; Order PL 215,

§ 308-54-100, filed 11/5/75; Order PL 107, § 308-54-100, filed 3/3/71.] Repealed by WSR 00-01-072, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075.

- 246-843-110 Subjects for examination. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-110, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-110, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 87-02-008 (Order PM 633), § 308-54-110, filed 12/29/86; Order PL 107, § 308-54-110, filed 3/3/71.] Repealed by WSR 00-01-072, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapter 18.52, 34.05 RCW and RCW 18.130.075.
- 246-843-115 Examination procedures. [Statutory Authority: RCW 18.52.100. WSR 91-24-022 (Order 216B), § 246-843-115, filed 11/25/91, effective 12/26/91.] Repealed by WSR 00-01-072, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075.
- 246-843-120 Grading examinations. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-120, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-120, filed 3/1/91, effective 4/1/91; WSR 81-14-037 (Order PL 381), § 308-54-120, filed 6/29/81; Order PL 107, § 308-54-120, filed 3/3/71.] Repealed by WSR 00-01-072, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075.
- 246-843-122 Examination review procedures. [Statutory Authority: RCW 18.52.100. WSR 91-24-022 (Order 216B), § 246-843-122, filed 11/25/91, effective 12/26/91.] Repealed by WSR 00-01-072, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075.
- 246-843-125 Continuing education credit for preceptors for administrators-in-training programs. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-125, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-125, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14) and 18.52.110. WSR 80-01-057 (Order PL 328), § 308-54-125, filed 12/20/79.] Repealed by WSR 00-01-074, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapters 18.52 and 34.05 RCW.
- 246-843-150 Continuing education requirements for renewal of active license. [Statutory Authority: RCW 18.52.061. WSR 02-23-070, § 246-843-150, filed 11/19/02, effective 2/17/03. Statutory Authority: Chapter 18.52 and 34.05 RCW. WSR 00-01-074, § 246-843-150, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-843-150, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-150, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-150, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14) and 18.52.110(2). WSR 84-07-051 (Order PL 461), § 308-54-150, filed 3/21/84. Statutory Authority: RCW 18.52.110. WSR 80-04-069 (Order 338), § 308-54-150, filed 3/26/80; Order PL 260, § 308-54-150, filed 12/10/76; Order PL 107, § 308-54-150, filed 3/3/71.] Repealed by WSR 16-17-127, filed 8/23/16, effective 9/23/16. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW.
- 246-843-155 Certification of compliance. [Statutory Authority: RCW 18.52.100. WSR 91-06-060 (Order 141B), recodified as § 246-843-155, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14) and 18.52.110. WSR 80-01-057 (Order PL 328), § 308-54-155, filed 12/20/79.] Repealed by WSR 98-05-060, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.280.
- 246-843-158 Responsibility for maintaining mailing address on file with the board. [Statutory Authority: RCW 18.52.061. WSR 93-23-034, § 246-843-158, filed 11/10/93, effective 12/11/93.] Repealed by WSR 97-20-101, filed 9/29/97, effective 10/30/97. Statutory Authority: RCW 43.70.040.
- 246-843-160 Licenses. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-160, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-160, filed 3/1/91, effective 4/1/91; WSR 80-08-066 (Order 348), § 308-54-160, filed 7/1/80. Statutory Authority: RCW 18.52.070, 18.52.080 and 18.52.100(14). WSR 78-02-009 (Order PL 282), § 308-54-160, filed 1/6/78; Order PL 107, § 308-54-160, filed 3/3/71.] Repealed by WSR 98-05-060, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.280.
- 246-843-162 AIDS prevention and information education requirements. [Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-162, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-843-162, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.52.100 and 70.24.270. WSR 91-24-050 (Order 217B), § 246-843-162, filed 11/27/91, effective 12/28/91. Statutory Authority: RCW 18.52.100. WSR 91-06-060 (Order 141B), recodified as § 246-843-162, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(11). WSR 88-23-038 (Order PM 791), § 308-54-162, filed 11/9/88.] Repealed by WSR 21-11-001, filed 5/6/21, effective 6/6/21. Statutory Authority: RCW 18.52.061.
- 246-843-170 Temporary permits. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-170, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-170, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(11). WSR 88-23-038 (Order PM 791), § 308-54-170, filed 11/9/88. Statutory Authority: RCW 18.52.100. WSR 80-08-066 (Order 348), § 308-54-170, filed 7/1/80. Statutory Authority: RCW 18.52.100 (10) and (14). WSR 78-02-009 (Order PL 282), § 308-54-170, filed 1/6/78; Order PL 107, § 308-54-170, filed 3/3/71.] Repealed by WSR 00-01-072, filed 12/13/99, effective 1/13/00. Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075.
- 246-843-200 Standards of suitability and character. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-200, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-200, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 87-02-008 (Order PM 633), § 308-54-200, filed 12/29/86. Statutory Authority: RCW 18.52.100 (1) and (14). WSR 78-02-009 (Order PL 282), § 308-54-200, filed 1/6/78; Order PL 107, § 308-54-200, filed 3/3/71.] Repealed by WSR 99-03-068, filed 1/18/99, effective 2/18/99. Statutory Authority: RCW 18.52.061.

246-843-220 Complaints and hearing procedures. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-220, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-220, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.090(2), 18.52.150, 18.52.100 (4), (5), (6) and (14). WSR 78-02-009 (Order PL 282), § 308-54-220, filed 1/6/78; Order PL 107, § 308-54-220, filed 3/3/71.] Repealed by WSR 99-03-067, filed 1/18/99, effective 2/18/99. Statutory Authority: RCW 18.52.061.

246-843-225 Issuance of subpoenas—Administering oaths and affirmations—Ruling when board or hearing panel not in session. [Statutory Authority: RCW 18.52.100. WSR 91-06-060 (Order 141B), recodified as § 246-843-225, filed 3/1/91, effective 4/1/91; WSR 80-08-066 (Order 348), § 308-54-225, filed 7/1/80. Statutory Authority: RCW 18.52.155. WSR 78-02-009 (Order PL 282), § 308-54-225, filed 1/6/78.] Repealed by WSR 99-03-067, filed 1/18/99, effective 2/18/99. Statutory Authority: RCW 18.52.061.

246-843-240 Restoration and reinstatement of licenses. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-240, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-240, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14) and 18.52.120. WSR 78-02-009 (Order PL 282), § 308-54-240, filed 1/6/78; Order PL 107, § 308-54-240, filed 3/3/71.] Repealed by WSR 95-07-128, filed 3/22/95, effective 4/22/95. Statutory Authority: RCW 18.52.061.

246-843-250 Duplicate licenses. [Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-250, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-250, filed 3/1/91, effective 4/1/91; Order PL 107, § 308-54-250, filed 3/3/71.] Repealed by WSR 98-05-060, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.280.

246-843-320 Renewal of licenses. [Statutory Authority: RCW 18.52.061. WSR 95-07-128, § 246-843-320, filed 3/22/95, effective 4/22/95. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-320, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-320, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 87-02-008 (Order PM 633), § 308-54-320, filed 12/29/86. Statutory Authority: RCW 43.24.140. WSR 80-04-057 (Order 337), § 308-54-320, filed 3/24/80.] Repealed by WSR 98-05-060, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.280.

WAC 246-843-010 General definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Active administrative charge" means direct participation in the operating concerns of a nursing home. Operating concerns include, but are not limited to, interaction with staff and residents, liaison with the community, liaison with regulatory agencies, pertinent business and financial responsibilities, planning and other activities as identified in the most current job analysis published by the National Association of Boards of Examiners for Long Term Care Administrators.

(2) "Administrator-in-training (AIT)" means an individual in a nursing home training program approved by the board.

(3) "Board" means the state board of nursing home administrators, established under chapter 18.52 RCW, representative of the professions and institutions concerned with the care of the chronically ill and infirm aged patients.

(4) "Collocated facilities" means more than one licensed nursing facility situated on a contiguous or adjacent property, whether or not there are intersecting streets. Other criteria to qualify as a collocated facility would be determined by the nursing home licensing agency under chapter 18.51 RCW.

(5) "Department of health" or "DOH" means the agency responsible for issuing licenses to nursing home administrators under chapter 18.52 RCW.

(6) "Health service executive" or "HSE" means a voluntary qualification standard issued by the National Association of Long Term Care Administrators Board (NAB) that recognizes a common core and unique entry level competencies by line of service. Successful demonstration of this combination of competencies is measured by education, experience, and examination that meets or exceeds the current NAB requirements to practice as a nursing home administrator, an assisted living administrator, and an administrator practicing in the field of home and community based service in the majority of jurisdictions.

(7) The "National Association of Long Term Care Administrators Boards" or "NAB" means the national organization of regulatory boards and agencies responsible for licensure of long-term care administrators in all fifty states and the District of Columbia.

(8) "On-site, full-time administrator" means an individual, licensed under chapter 18.52 RCW, who is in active administrative charge of one nursing home facility or collocated facilities for a minimum of:

(a) Four days per week and an average of forty hours per week, if administering a facility with fifty or more nursing home beds;

(b) Four days per week and an average of thirty hours per week, if administering a facility with thirty-one to forty-nine nursing home beds; or

(c) Four days per week and an average of twenty hours per week, if administering a facility with one to thirty nursing home beds.

(9) "Person" means an individual and does not include the terms firm, corporation, institutions, public bodies, joint stock associations, and other such entities.

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-010, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-010, filed 8/23/16, effective 9/23/16. Statutory Authority: 2011 c 366 and RCW 18.52.030. WSR 12-14-051, § 246-843-010, filed 6/28/12, effective 7/29/12. Statutory Authority: Chapters 18.52 and 34.05 RCW. WSR 00-01-071, § 246-843-010, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 18.52.061. WSR 95-07-128, § 246-843-010, filed 3/22/95, effective 4/22/95; WSR 93-13-004 (Order 371B), § 246-843-010, filed 6/3/93, effective 7/4/93. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-010, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-010, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 87-02-008 (Order PM 633), § 308-54-020, filed 12/29/86; Order PL 107, § 308-54-020, filed 3/3/71.]

WAC 246-843-070 Examination. (1) An applicant for nursing home administrator licensure must submit proof of taking and passing the NAB nursing home administrator examination with a scale score of one hundred thirteen; or

(2) If the applicant was licensed prior to 1986, the applicant may submit proof of taking and passing the examination offered by professional examination services (PES).

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-070, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-070, filed 8/23/16, effective 9/23/16. Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075. WSR 00-01-072, § 246-843-070, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 18.52.100. WSR 91-06-060 (Order 141B), recodified as § 246-843-070, filed 3/1/91, effective 4/1/91; Order PL 107, § 308-54-070, filed 3/3/71.]

WAC 246-843-071 Application. (1) An applicant for licensure as a nursing home administrator shall:

(a) Be at least twenty-one years old;

(b) Submit to DOH a completed application for licensure provided by DOH that includes all information requested and payment of fees as required in chapter 246-12 WAC, Part 2 and WAC 246-843-990;

(c) Request the official transcripts of successful completion of a baccalaureate degree to be sent directly to DOH from a recognized institution of higher learning. A "recognized institution of higher learning" is a degree granting institution that is:

(i) Accredited by an organization recognized by the Council for Higher Education Accreditation (CHEA) and is included in the CHEA list recognized accrediting organizations; or

(ii) Accredited by an organization recognized by the United States Department of Education (USDOE) and is included in the USDOE Database of Accredited Postsecondary Institutions and Programs; or

(iii) A foreign institution with a program that the board has found to be the equivalent of programs approved by CHEA or by the USDOE. The transcript must also be evaluated and found to be valid and the academic program the equivalent of programs approved by CHEA or the USDOE, by:

(A) An organization that is a current member of the National Association of Credential Evaluation Services (NACES); or

(B) An organization that is a current member of the Association of International Credential Evaluators, Inc. (AICE).

(d) Verification of successful completion of seven hours of AIDS education and training as required in chapter 246-12 WAC, Part 8;

(e) Documentation of having satisfied training requirements including that the applicant:

(i) Has successfully completed an AIT program as described in WAC 246-843-090 and 246-843-091; or

(ii) Has met the requirements for an AIT exemption described in WAC 246-843-093.

(f) Documentation that the applicant has successfully passed the examination as described in WAC 246-843-070.

(2) If an applicant is required to complete an AIT program, the applicant may concurrently earn their degree but shall submit proof of enrollment in a degree program at a recognized institution of higher learning. The transcript showing successful completion of the degree, sent directly from the institution, must be received before the applicant is approved to take the current NAB national examination.

(3) An applicant who has HSE designation from NAB may submit verification of the HSE directly from NAB to verify that he or she meets the requirements of subsection (1)(c) and (f) of this section.

(4) An applicant licensed as a nursing home administrator outside the state of Washington may apply for initial licensure through endorsement by meeting the requirements of WAC 246-843-230.

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-071, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-071, filed 8/23/16, effective 9/23/16. Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075. WSR 00-01-072, § 246-843-071, filed 12/13/99, effective 1/13/00.]

WAC 246-843-090 Administrator-in-training program. To qualify for a nursing home administrator license, an applicant must successfully complete a board approved nursing home administrator-in-training (AIT) program as described below:

(1) The AIT program must:

(a) Be under the guidance and supervision of a qualified preceptor as described in WAC 246-843-095;

(b) Be designed to provide for individual learning experiences and instruction based upon the person's academic background, training, and experience;

(c) Provide for a broad range of experience with a close working relationship between preceptor and AIT. A sponsoring facility of less than fifty beds will be considered for an AIT program only if there is a board approved plan to broaden the AIT experience with an equal percentage of experience in a larger facility;

(d) Be described in a prospectus signed by the preceptor. The prospectus must include a description of the rotation through departments. The board must approve the prospectus before the AIT program start date.

(2) The AIT program prospectus shall include the following components:

(a) A minimum of ninety percent of the required AIT program hours are spent in a rotation through each department of a resident occupied nursing home licensed under chapter 18.51 RCW or a Washington state veterans home established under chapter 72.36 RCW.

(b) The remaining ten percent of the AIT program will include:

(i) A written project assignment including at least one problem-solving assignment to improve the nursing home or nursing home procedures. A description of the project must be submitted in writing to the board and approved before the AIT program start date. The description of the project should indicate the definition of the project and method of approach such as data gathering. A project report that includes possible alternatives, conclusions, and final recommendations to improve the facility or procedure is to be submitted to the board for approval at least ten days before the scheduled end date of the AIT program;

(ii) Planned reading and writing assignments as designated by the preceptor; and

(iii) Other planned learning experiences including learning about other health and social services agencies in the community.

(3) The AIT program must be approved by the board before the AIT may begin the program.

(4) Quarterly written reports to the board shall include a detailed outline of AIT activities during the reporting period. Reports must be submitted by both the AIT and preceptor.

(5) Changes in the AIT program, including a change of preceptor, facility or topic, must be immediately reported in writing to the board. A request for change must be in writing and explain why the change is needed. The request must be co-signed by the AIT and the approved preceptor. In cases where the preceptor is no longer available, the request may be signed by the governing body. Only two changes for the duration of the AIT program will be allowed.

(6) A site visit by a board member will take place before the program plan is considered complete.

(7) The board may withdraw approval or alter conditions under which approval was given if the board finds that the approved program has not been or is not being followed.

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-090, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-090, filed 8/23/16, effective 9/23/16. Statutory Authority: Chapters 18.52 and 34.05 RCW. WSR 00-01-070, § 246-843-090, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 18.52.061. WSR 95-07-128, § 246-843-090, filed 3/22/95, effective 4/22/95; WSR 93-23-034, § 246-843-090, filed 11/10/93, effective 12/11/93; WSR 93-13-004 (Order 371B), § 246-843-090, filed 6/3/93, effective 7/4/93. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-090, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-090, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 87-02-008 (Order PM 633), § 308-54-090, filed 12/29/86; Order PL 260, § 308-54-090, filed 12/10/76; Order PL 164, § 308-54-090, filed 3/27/74, effective 1/1/75; Order PL 107, § 308-54-090, filed 3/3/71.]

WAC 246-843-091 Length of AIT program. An applicant shall complete a one thousand five hundred hour AIT program. The program length may be reduced based on the following:

(1) A one thousand hour AIT program may be granted for individuals with a minimum of:

(a) Two years' experience as a department manager in a state licensed nursing home or hospital with demonstrated supervisory and budgetary responsibility;

(b) Five years' experience working in a nursing home; or

(c) Successful completion of a four year degree program in health administration or nursing; or

(d) An applicant may be allowed to complete a one thousand hour AIT program in Washington if they have successfully completed at least five hundred hours but less than one thousand hours of an AIT program approved in another state.

(2) A five hundred hour AIT program may be granted for individuals with a minimum of two years' experience in the last five years with demonstrated supervisory and budgetary responsibility in one of the following positions or their equivalent:

(a) Hospital administrator;

(b) Assistant administrator in a state licensed nursing home or hospital;

(c) Director of a hospital based skilled nursing facility;

(d) Director of a subacute or transitional care unit;

(e) Director of the department of nursing in a state licensed nursing home;

(f) Health care consultant to the long-term care industry;

(g) Director of community-based long-term care service;

(h) Director or regional director of rehabilitation services in a skilled nursing facility;

(i) An applicant may be allowed to complete a five hundred hour AIT program in Washington if they have successfully completed at least one thousand hours of an AIT program approved in another state.

(3) A five hundred hour program may be granted for individuals with a master's degree in health administration or nursing.

(4) At the discretion of the board, veterans who have military experience equal to the civilian classifications and time limits in

subsections (2) and (3) of this section are eligible for a reduced AIT as described in subsections (2) and (3) of this section.

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-091, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-091, filed 8/23/16, effective 9/23/16.]

WAC 246-843-093 Exemption. An applicant is not required to complete an AIT program if:

(1) An individual has completed a minimum of five years' experience in the last seven years with extensive supervisory and budgetary responsibility in one of the following positions or their equivalent as determined by the board:

- (a) Hospital administrator;
- (b) Assistant administrator in a hospital or state licensed nursing home;
- (c) Director of a hospital based skilled nursing facility;
- (d) Director of a subacute or transitional care unit; or
- (e) Regional director of rehabilitation services in a skilled nursing facility.

(2) A veteran who has military experience equal to the civilian classifications and time limits listed in subsection (1)(a) through (e) of this section.

(3) An individual has worked as a licensed nursing home administrator for a minimum of two years in the past five years.

(4) An individual has graduated with a baccalaureate or graduate degree in long-term care administration from a program accredited by NAB.

(5) An individual has graduated from a degree program in a recognized educational institution that included a one thousand hour practical experience (practicum) in a nursing home. This practical experience must be structured to allow a student a majority of time in a systematic rotation through each department of a resident-occupied nursing home. The practical experience shall include planned readings, writing, and project assignments. The practical experience shall include regular contact with the administrator of the facility in which the practical experience was completed.

(6) An individual has been issued an HSE designation from NAB.

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-093, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-093, filed 8/23/16, effective 9/23/16. Statutory Authority: Chapters 18.52 and 34.05 RCW. WSR 00-01-070, § 246-843-093, filed 12/13/99, effective 1/13/00.]

WAC 246-843-095 Preceptors for administrator-in-training programs. The preceptor shall submit a statement to the board describing his or her qualifications and an agreement to perform the duties of a preceptor.

(1) Qualifications of preceptor:

(a) The preceptor must be actively practicing as a nursing home administrator for a duration of no less than three years prior to the

submission of the AIT applicant's initial application for an AIT credential.

(b) The preceptor must be employed full time as the nursing home administrator in the facility where the AIT is trained.

(c) The preceptor shall have an unrestricted license.

(2) Duties of the preceptor:

(a) The preceptor shall take the time necessary and have at least a weekly face-to-face conference with the AIT about the activities of the AIT relative to the training program and the nursing home.

(b) The preceptor shall evaluate the AIT and submit quarterly reports to the board on the progress of the AIT program.

(c) The preceptor shall provide learning opportunities that support the AIT's preparation to succeed on the licensure examination and competently assume the responsibilities of a nursing home administrator.

(3) A preceptor is limited to the supervision of only one AIT unless the preceptor has prior approval from the board.

(4) The board may periodically review and evaluate the quality of AIT programs and preceptor performance.

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-095, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-095, filed 8/23/16, effective 9/23/16. Statutory Authority: Chapters 18.52 and 34.05 RCW. WSR 00-01-070, § 246-843-095, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-095, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recorded as § 246-843-095, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 87-02-008 (Order PM 633), § 308-54-095, filed 12/29/86. Statutory Authority: RCW 18.52.100 (2) and (14). WSR 78-02-009 (Order PL 282), § 308-54-095, filed 1/6/78.]

WAC 246-843-130 Continuing education requirements. (1) A licensed nursing home administrator shall demonstrate completion of thirty-six hours of continuing education every two years and comply with chapter 246-12 WAC, Part 7.

(2) Continuing education approved by the National Continuing Education Review Service (NCERS) is acceptable for continuing education credit.

(3) Continuing education that is not approved by NCERS must meet the following requirements:

(a) The basic methods of continuing education learning are:

(i) Seminars;

(ii) Teleconferencing;

(iii) Webinars; and

(iv) Self-study programs.

(b) Continuing education courses shall consist of a minimum of one hour of instruction. Hours are based upon clock hours and are calculated in half hour increments. College courses are rated at fifteen hours per each semester unit and ten hours per each quarter credit.

(c) Continuing education must relate to nursing home administration, be designed to promote continued knowledge and skills with nursing home administration standards, and improve and enhance professional competencies. Continuing education must fit within the following subjects:

- (i) Resident centered care;
- (ii) Human resources;
- (iii) Finance;
- (iv) Environment;
- (v) Leadership and management;
- (vi) Suicide prevention;
- (vii) Cultural competency training;
- (viii) Laws relating to Washington state nursing homes;
- (ix) Pandemic response and compliance measures. Examples include,

but are not limited to, infection control measures, resident engagement, personal protective equipment procurement and training, emergency staffing, writing and updating policies and procedures pertaining to pandemic management, and other pandemic-related training.

(d) The licensee shall retain proof of course completion. To receive full credit, attendees shall attend the full program. The maximum number of hours allowed for continuing education is twelve hours per day.

(e) Until December 31, 2022, licensees due to demonstrate completion of continuing education may accrue up to thirty-six of those hours in pandemic response and compliance measure subjects described in (c)(ix) of this subsection. During this time, if proof of course completion is not provided for pandemic response and compliance measure courses earned under self-study programs as allowed under (a)(iv) of this subsection, the licensee may sign an attestation on a form provided by the department.

(4) Continuing education credit of two hours per month may be granted to a preceptor of an administrator-in-training program.

(5) Continuing education credit of a maximum of two hours per month may be granted for serving as a board member for the board of nursing home administrators.

(6) Within one hundred eighty days after becoming licensed, a nursing home administrator shall attend a board approved course on laws relating to nursing homes in Washington. The board will grant retroactive credit to those licensees who obtain the required training as administrators-in-training under WAC 246-843-090. The state law training course consists of a minimum of a six-hour program, with formal training objectives, that covers the requirements of chapter 18.52 RCW and essential areas of laws that apply to nursing homes regulated by the department of social and health services under chapter 388-97 WAC to include:

- (a) Resident services, medical and social;
- (b) Resident rights, including resident decision making, informed consent, advance directives and notices to residents;
- (c) Enforcement;
- (d) Criminal history inquiries;
- (e) Differences between federal and state law.

[Statutory Authority: RCW 18.52.061. WSR 21-17-079, § 246-843-130, filed 8/12/21, effective 10/10/21. Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-130, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-130, filed 8/23/16, effective 9/23/16. Statutory Authority: Chapters 18.52 and 34.05 RCW. WSR 00-01-074, § 246-843-130, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-130, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-130,

filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(11). WSR 88-23-038 (Order PM 791), § 308-54-130, filed 11/9/88. Statutory Authority: RCW 18.52.100(14) and 18.52.110(2). WSR 82-20-092 (Order PL 407), § 308-54-130, filed 10/6/82. Statutory Authority: RCW 18.52.100(14) and 18.52.110. WSR 80-01-057 (Order PL 328), § 308-54-130, filed 12/20/79; Order PL 265, § 308-54-130, filed 3/21/77; Order PL 260, § 308-54-130, filed 12/10/76; Order PL 107, § 308-54-130, filed 3/3/71.]

WAC 246-843-180 Expired license. (1) To return to active status, the nursing home administrator shall meet the requirements of WAC 246-12-040.

(2) If the license has been expired for five years or more, the nursing home administrator shall also meet one of the following requirements:

(a) Provide proof of an active status license as a nursing home administrator from another state that has requirements that are substantially equivalent to Washington requirements;

(b) Provide proof that the applicant has been in active practice as a licensed nursing home administrator in another jurisdiction during that time; or

(c) Successfully pass the current licensing examination.

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-180, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-180, filed 8/23/16, effective 9/23/16. Statutory Authority: RCW 18.52.061. WSR 02-23-070, § 246-843-180, filed 11/19/02, effective 2/17/03. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-843-180, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.52.061. WSR 93-13-004 (Order 371B), § 246-843-180, filed 6/3/93, effective 7/4/93. Statutory Authority: RCW 18.52.100. WSR 91-24-022 (Order 216B), § 246-843-180, filed 11/25/91, effective 12/26/91; WSR 91-06-060 (Order 141B), reclassified as § 246-843-180, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 86-01-086 (Order PL 576), § 308-54-180, filed 12/18/85. Statutory Authority: RCW 18.52.100. WSR 80-08-066 (Order 348), § 308-54-180, filed 7/1/80; Order PL 260, § 308-54-180, filed 12/10/76; Order PL 107, § 308-54-180, filed 3/3/71.]

WAC 246-843-205 Standards of conduct. Licensed nursing home administrators must be on-site full time as defined in WAC 246-843-010 (5) and in active administrative charge of the licensed nursing home, as licensed under chapter 18.51 RCW, in which they have consented to serve as administrator.

[Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-205, filed 8/23/16, effective 9/23/16. Statutory Authority: 2011 c 366 and RCW 18.52.030. WSR 12-14-051, § 246-843-205, filed 6/28/12, effective 7/29/12. Statutory Authority: Chapters 18.52 and 34.05 RCW. WSR 00-01-067, § 246-843-205, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 18.52.061. WSR 95-07-128, § 246-843-205, filed 3/22/95, effective 4/22/95; WSR 93-13-004 (Order 371B), § 246-843-205, filed 6/3/93, effective 7/4/93. Statutory Au-

thority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-205, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-205, filed 3/1/91, effective 4/1/91; Order PL 164, § 308-54-205, filed 3/27/74.]

WAC 246-843-230 Endorsement. (1) The board may issue a license on the basis of licensure in good standing from another state to a nursing home administrator if that state requires qualifications substantially equivalent to qualifications required by RCW 18.52.071 and WAC 246-843-090. To obtain a license by endorsement the applicant shall:

- (a) Satisfy requirements listed in WAC 246-831-071 [246-843-071}.
 - (b) Submit verification forms from all states in which currently or previously licensed that verifies the applicant was or is currently licensed and confirms licensure status.
- (2) Applicants who are currently certified by the American College of Health Care Administrators (ACHCA) are exempt from taking the current NAB national examination.

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-230, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-230, filed 8/23/16, effective 9/23/16. Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075. WSR 00-01-072, § 246-843-230, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-843-230, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-230, filed 11/27/91, effective 12/28/91; WSR 91-06-060 (Order 141B), recodified as § 246-843-230, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100(14). WSR 87-02-008 (Order PM 633), § 308-54-230, filed 12/29/86; Order PL 107, § 308-54-230, filed 3/3/71.]

WAC 246-843-231 Temporary practice permits. (1) An applicant seeking permanent licensure who satisfies all licensing requirements other than a fingerprint-based national background check may receive a temporary practice permit by satisfying requirements listed in WAC 246-12-050.

(2) Temporary practice permits for applicants seeking licensure for interim placement at specific facilities.

(a) A temporary practice permit for interim placement at specific facilities may be issued to an applicant who meets the following conditions:

- (i) Holds an unrestricted active license in another state;
- (ii) Is not subject to denial of a license or issuance of a conditional or restricted license; and
- (iii) There are no violations identified in the Washington criminal background check and the applicant meets all other licensure conditions including receipt by DOH of a completed Federal Bureau of Investigation (FBI) fingerprint card.

(b) The temporary practice permit allows the applicant to work in the state of Washington as a nursing home administrator during the time specified on the permit. The temporary practice permit grants the applicant a license to practice within the full scope of practice as a nursing home administrator with the following conditions:

(i) A temporary practice permit is valid only for the specific nursing home for which it is issued unless otherwise approved by the board;

(ii) A temporary permit holder shall consult with a Washington state licensed nursing home administrator with whom they have a written agreement for consultation.

(c) A temporary practice permit will not be renewed, reissued, or extended. A temporary practice permit expires when one of the following occurs:

(i) The permit holder departs from the nursing home, unless otherwise approved by the board;

(ii) One hundred eighty days after the temporary practice permit is issued.

(d) To receive a temporary practice permit, the applicant shall submit to DOH:

(i) Fees and a completed application for the permit;

(ii) Verification from each state in which the applicant is currently licensed and is in good standing as a nursing home administrator; and

(iii) A written agreement for consultation with a Washington state licensed nursing home administrator.

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-231, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-231, filed 8/23/16, effective 9/23/16. Statutory Authority: RCW 18.52.061, 18.130.064, and 18.130.075. WSR 15-02-034, § 246-843-231, filed 12/30/14, effective 1/30/15. Statutory Authority: Chapters 18.52, 34.05 RCW and RCW 18.130.075. WSR 00-01-072, § 246-843-231, filed 12/13/99, effective 1/13/00.]

WAC 246-843-270 Definitions related to sexual misconduct. The definitions in this section apply throughout this section and through WAC 246-843-280 unless the context clearly requires otherwise:

(1) "Health care information" means any information, whether oral or recorded in any form or medium that identifies or can readily be associated with the identity of, and relates to the health care of, a patient or client.

(2) "Key party" means immediate family members and others who would be reasonably expected to play a significant role in the health care decisions of the patient or client and includes, but is not limited to, the spouse, domestic partner, sibling, parent, child, guardian and person authorized to make health care decisions of the patient or client.

(3) "Legitimate health care purpose" means activities for examination, diagnosis, treatment, and personal care of patients or clients, including palliative care, as consistent with community standards of practice for the profession. The activity must be within the scope of practice of the nursing home administrator.

(4) "Nursing home administrator" means an individual applying for a credential or credentialed as a nursing home administrator under chapter 18.52 RCW.

(5) "Patient" or "client" means an individual who receives health care in a nursing home under the administrative charge of the nursing home administrator.

[Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-270, filed 8/23/16, effective 9/23/16. Statutory Authority: RCW 18.130.050 (1) and (12) and 18.52.061(1). WSR 07-08-005, § 246-843-270, filed 3/22/07, effective 4/22/07.]

WAC 246-843-280 Sexual misconduct. (1) A nursing home administrator shall not engage, or attempt to engage, in sexual misconduct with a current patient, client, or key party, inside or outside the health care setting. Sexual misconduct constitutes grounds for disciplinary action. Sexual misconduct includes, but is not limited to:

- (a) Sexual intercourse;
- (b) Touching the breasts, genitals, anus or any sexualized body part;
- (c) Rubbing against a patient or client or key party for sexual gratification;
- (d) Kissing of a romantic or sexual nature;
- (e) Hugging, touching, fondling or caressing of a romantic or sexual nature;
- (f) Examination of or touching genitals;
- (g) Not allowing a patient or client privacy to dress or undress;
- (h) Not providing the patient or client a gown or draping;
- (i) Dressing or undressing in the presence of the patient, client or key party;
- (j) Removing patient or client's clothing or gown or draping;
- (k) Encouraging masturbation or other sex act in the presence of the nursing home administrator;
- (l) Masturbation or other sex act by the nursing home administrator in the presence of the patient, client or key party;
- (m) Terminating a professional relationship for the purpose of dating or pursuing a romantic or sexual relationship;
- (n) Soliciting a date with a patient, client or key party;
- (o) Discussing the sexual history, preferences or fantasies of the nursing home administrator;
- (p) Any behavior, gestures, or expressions that may reasonably be interpreted as seductive or sexual;
- (q) Making statements regarding the patient, client or key party's body, appearance, sexual history, or sexual orientation other than for legitimate health care purposes;
- (r) Sexually demeaning behavior including any verbal or physical contact which may reasonably be interpreted as demeaning, humiliating, embarrassing, threatening or harming a patient, client or key party;
- (s) Photographing or filming the body or any body part or pose of a patient, client, or key party, other than for legitimate health care purposes; and
- (t) Showing a patient, client or key party sexually explicit photographs, other than for legitimate health care purposes.

(2) Sexual misconduct also includes sexual contact with any person involving force, intimidation, or lack of consent; or a conviction of a sex offense as defined in RCW 9.94A.030.

(3) A nursing home administrator shall not:

- (a) Offer to provide health care services in exchange for sexual favors;
- (b) Use health care information to contact the patient, client or key party for the purpose of engaging in sexual misconduct;

(c) Use health care information or access to health care information to meet or attempt to meet the nursing home administrator's sexual needs.

(4) A nursing home administrator shall not engage, or attempt to engage, in the activities listed in subsection (1) of this section with a former patient, client or key party within two years after the provider-patient/client relationship ends.

(5) After the two-year period of time described in subsection (4) of this section, a nursing home administrator shall not engage, or attempt to engage, in the activities listed in subsection (1) of this section if:

(a) There is a significant likelihood that the patient, client or key party will seek or require additional services from the nursing home administrator; or

(b) There is an imbalance of power, influence, opportunity and/or special knowledge of the professional relationship.

(6) When evaluating whether a nursing home administrator is prohibited from engaging, or attempting to engage, in sexual misconduct, the board of nursing home administrators will consider factors including, but not limited to:

(a) Documentation of a formal termination and the circumstances of termination of the nursing home administrator-patient relationship;

(b) Transfer of care to another nursing home administrator;

(c) Duration of the nursing home administrator-patient relationship;

(d) Amount of time that has passed since the last health care services to the patient or client;

(e) Communication between the nursing home administrator and the patient or client between the last health care services rendered and commencement of the personal relationship;

(f) Extent to which the patient's or client's personal or private information was shared with the nursing home administrator;

(g) Nature of the patient or client's health condition during and since the professional relationship;

(h) The patient or client's emotional dependence and vulnerability; and

(i) Normal revisit cycle for the profession and service.

(7) Patient, client or key party initiation or consent does not excuse or negate the health care provider's responsibility.

(8) These rules do not prohibit:

(a) Contact that is necessary for a legitimate health care purpose and that meets the standard of care appropriate to nursing home administrators; or

(b) Providing health care services for a legitimate health care purpose to a person who is in a preexisting, established personal relationship with the nursing home administrator where there is no evidence of, or potential for, exploiting the patient or client.

[Statutory Authority: RCW 18.52.061 and 18.130.050. WSR 19-19-050, § 246-843-280, filed 9/13/19, effective 10/14/19. Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-280, filed 8/23/16, effective 9/23/16. Statutory Authority: RCW 18.130.050 (1) and (12) and 18.52.061(1). WSR 07-08-005, § 246-843-280, filed 3/22/07, effective 4/22/07.]

WAC 246-843-325 Temporary practice permit—Military spouse eligibility and issuance. A military spouse or state registered domestic partner of a military person may receive a temporary practice permit while completing any specific additional requirements that are not related to training or practice standards for nursing home administrators. The board adopts the procedural rules as adopted by the department of health in WAC 246-12-051.

[Statutory Authority: RCW 18.52.061 and 18.340.020. WSR 20-09-037, § 246-843-325, filed 4/7/20, effective 5/8/20.]

WAC 246-843-330 Inactive license. (1) A practitioner may obtain an inactive license. Refer to the requirements of chapter 246-12 WAC, Part 4.

(2) To return to active status from inactive status if the license has been on inactive status for less than five years, the practitioner must meet the requirements of chapter 246-12 WAC, Part 4.

(3) To return to active status from inactive status if the license has been on inactive status for five years or more:

(a) If the practitioner has been in active practice as a licensed nursing home administrator in another jurisdiction during that time, the practitioner must:

(i) Meet the requirements of chapter 246-12 WAC, Part 4; and

(ii) Provide proof of active practice; or

(b) If the practitioner has not been in active practice as a licensed nursing home administrator in another jurisdiction during that time, the practitioner must:

(i) Meet the requirements of WAC 246-12-110; and

(ii) Successfully complete the current licensing examination.

[Statutory Authority: RCW 18.52.061, 18.130.050, 18.130.040, 18.130.062, 43.70.041, and chapter 18.52 RCW. WSR 16-17-127, § 246-843-330, filed 8/23/16, effective 9/23/16. Statutory Authority: RCW 18.52.061. WSR 02-23-070, § 246-843-330, filed 11/19/02, effective 2/17/03. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-843-330, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.52.100. WSR 91-24-050 (Order 217B), § 246-843-330, filed 11/27/91, effective 12/28/91; WSR 91-06-059 (Order 149B), § 246-843-330, filed 3/1/91, effective 4/1/91.]

WAC 246-843-340 Adjudicative proceedings. The board adopts the model procedural rules for adjudicative proceedings as adopted by the department of health and contained in chapter 246-11 WAC, including subsequent amendments.

[Statutory Authority: RCW 18.52.061. WSR 93-23-034, § 246-843-340, filed 11/10/93, effective 12/11/93.]

WAC 246-843-990 Nursing home administrator fees and renewal cycle. (1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC.

(2) Between the effective date of this rule and October 31, 2022, the following fees will apply:

Title of Fee	Fee
Application-Original license	\$690.00
Administrator-in-training	285.00
Application-Endorsement	715.00
License renewal	
Renewal	835.00
Late renewal penalty	300.00
Expired license reissuance	285.00
Inactive license	
Inactive license renewal	315.00
Late renewal penalty	160.00
Expired inactive license reissuance	190.00
Temporary permit	325.00
Duplicate license	10.00
Verification of license	25.00

(3) On and after November 1, 2022, the following fees apply:

Title of Fee	Fee
Application-Original license	\$805.00
Administrator-in-training	285.00
Application-Endorsement	805.00
License renewal	
Renewal	975.00
Late renewal penalty	300.00
Expired license reissuance	285.00
Inactive license	
Inactive license renewal	315.00
Late renewal penalty	160.00
Expired inactive license reissuance	190.00
Temporary permit	325.00
Duplicate license	10.00
Verification of license	25.00

[Statutory Authority: RCW 43.70.250 and 43.70.280. WSR 21-16-002, § 246-843-990, filed 7/22/21, effective 11/1/21; WSR 17-24-014 and 17-22-088, § 246-843-990, filed 11/27/17 and 10/27/17, effective 3/1/18. Statutory Authority: RCW 43.70.110, 43.70.250, and 2011 1st sp.s. c 50. WSR 11-20-092, § 246-843-990, filed 10/4/11, effective 12/1/11. Statutory Authority: RCW 43.70.110, 43.70.250, 2008 c 329. WSR 08-15-014, § 246-843-990, filed 7/7/08, effective 7/7/08. Statutory Authority: RCW 43.70.250, [43.70.]280 and 43.70.110. WSR 05-12-012, § 246-843-990, filed 5/20/05, effective 7/1/05. Statutory Authority: RCW 43.70.250, [43.70.]280 and chapter 18.52 RCW. WSR 99-24-098, § 246-843-990, filed 11/30/99, effective 12/31/99. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-843-990, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.250 and chapter 18.52 RCW. WSR 94-09-006, § 246-843-990, filed 4/11/94, effective 5/12/94. Statutory Authority: RCW 43.70.250. WSR 93-14-011, § 246-843-990, filed 6/24/93, effective 7/25/93; WSR 91-09-051 (Order 154), § 246-843-990, filed 4/16/91, effective 5/17/91. Statutory Authority: RCW 43.70.040. WSR 91-06-058 (Order 138), recodified as § 246-843-990, filed 3/1/91, ef-

fective 4/1/91. Statutory Authority: RCW 43.70.250. WSR 90-04-094 (Order 029), § 308-54-315, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. WSR 87-18-031 (Order PM 667), § 308-54-315, filed 8/27/87. Statutory Authority: 1983 c 168 § 12. WSR 83-17-031 (Order PL 442), § 308-54-315, filed 8/10/83. Formerly WAC 308-54-310.]