

**CHAPTER 6400**  
**BOARD OF EXAMINERS FOR NURSING HOME**  
**ADMINISTRATORS**  
**LICENSING OF NURSING HOME**  
**ADMINISTRATORS**

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**6400.0100 DEFINITIONS.**

Subpart 1. **Scope.** Whenever used in this chapter, unless expressly otherwise stated, the following terms have the meanings given them.

Subp. 1a. **Acting license.** "Acting license" means a license issued by the board to an individual who meets the statutory qualifications of Minnesota Statutes, section 144A.20.

Subp. 2. **Board.** "Board" means the Minnesota Board of Examiners for Nursing Home Administrators.

Subp. 3. **Examination.** "Examination" means any method or methods used by the board to evaluate the eligibility, background, knowledge, competence, experience, skills, or any other qualifications of an applicant for licensure.

Subp. 4. **License.** "License" means a certificate or other written evidence issued by the board to indicate that the bearer has been certified by that body to meet all the standards required of a licensed nursing home administrator.

Subp. 5. **Nursing home.** "Nursing home" means an institution or facility licensed as such under Minnesota Statutes, sections 144.50 to 144.56 by the Minnesota State Board of Health.

Subp. 6. **Nursing home administrator.** "Nursing home administrator" means a person who administers, manages, supervises, or who is in general administrative charge of a nursing home whether or not such an individual has an ownership interest in such home, and whether or not his functions and duties are shared with one or more other individuals.

Subp. 7. [Repealed by amendment, 8 SR 1480]

Subp. 8. **Person.** "Person" means an individual, and does not include the terms firm, corporation, association, partnership, institution, public body, joint stock association, or any other group of individuals.

Subp. 9. [Renumbered subp 1a]

Subp. 10. [Repealed by amendment, 8 SR 1480]

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

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## 6400.0200 STATUTORY AUTHORITY.

This chapter constitutes, comprises, and shall be known as the rules of the Board of Examiners for Nursing Home Administrators of the state of Minnesota and are promulgated under the authority granted to the board under Minnesota Statutes, sections 144A.19 to 144A.29 and in accordance with the Administrative Procedure Act in Minnesota Statutes, chapter 14.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## 6400.0300 MEETINGS.

The board shall have a minimum of four meetings per year. A quorum of five members entitled to vote shall be present at every meeting to conduct the business of the board.

Special meetings. The chair or other officer of the board may call special meetings when circumstances or functioning of the board require.

Roberts' Rules of Order, revised, shall govern all meetings of the board.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## 6400.0400 OFFICERS.

Subpart 1. **Election.** The board shall elect annually at its first meeting in its calendar year from among its membership, a chair, vice-chair, and secretary-treasurer. Vacancies in the officer positions of the board shall be filled in like manner at any meeting.

Subp. 2. **Presiding officer.** The chair shall preside at all meetings of the board and shall sign all official documents of the board. In the absence of the chair, the vice-chair shall preside at meetings and perform the duties of the chair.

Subp. 3. **Secretary-treasurer.** In addition to the duties that may be imposed by law, the secretary-treasurer or a designee, shall attend all meetings of the board, keep a full and complete record of the minutes of said meetings, notify the members of the board of the time and place fixed for meetings of the board, and maintain records pertaining to licensees and these rules. The secretary-treasurer or designee, shall conduct all routine correspondence for the board and shall issue all notices of meetings and hearings and shall have custody of all books, records, and property of the board.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## 6400.0450 COMMITTEES; APPOINTMENTS.

The board may establish any committees it deems appropriate. All standing committee appointments shall be made annually at the first meeting in the calendar year by the chair with the advice and consent of the board.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## 6400.0500 RECORDS.

The board shall maintain a register of all applications for licensing of nursing home administrators which register shall show: name, address, education, and experience qualifications of each applicant; name and address of current employer or business connection; date of application; date and serial number of the license issued to the applicant; the date on which action was taken by the board; and such other information as may be pertinent in the

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opinion of the board.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

### 6400.0600 LICENSE REQUIREMENTS.

No initial license shall be issued to a person as a nursing home administrator unless the individual:

- A. is at least 18 years of age;
- B. is of sound physical and mental health;
- C. is of good moral character and otherwise suitable;
- D. has furnished satisfactory evidence, as required by the board, that he/she possesses the general administrative abilities needed to satisfactorily administer a nursing home and possesses the ability to relate the administration of a nursing home to the physical, psychological, spiritual, emotional, and social needs of patients and to create a compassionate and helpful environment;
- E. has paid the following licensure and examination fees as established by the board:

- (1) an original application fee, not to exceed \$75;
- (2) a state examination fee, not to exceed \$50; and
- (3) a national examination fee, not to exceed \$80.

F. has achieved a passing score, to be reasonably established by the board, on all required examinations, unless otherwise hereinafter provided;

G. has a baccalaureate or higher degree from an accredited institution and has satisfactorily completed an approved academic course in each of the following areas:

(1) a course in the principles of organizational management and administration which delineates the role, functions, and process of management including planning, staffing, organizing, controlling, delegating, and evaluating outcomes;

(2) an accounting course which provides an introduction to basic financial concepts, financial statements, definition of accounting terminology, and the recording and reporting of financial events including budgeting;

(3) a course in social gerontology which includes the study of the social aspects of aging in our society as they relate to services and programs for the infirm or aged, or both;

(4) a course on issues in health care in which there is a study of at least three of the major social, economic, and ethical issues confronting long-term health care which include nontraditional approaches to health care, relationships of life style to health, patients' rights, right-to-die issues, and dilemmas of health care professionals in terms of morals, ethics, and professional commitments;

(5) a course in health care law which studies common case law and types of legal entities that affect or govern long-term health care organizations including its board and staff and the laws that affect guardianship or conservatorship;

(6) a course in the administration of long-term care services and programs which is a study of the function and role of professional and nonprofessional personnel, their services, and organizational programs which are needed to provide therapeutic-geriatric services for those requiring long-term health care;

(7) a human resource or personnel management course which is a study of recruitment, screening and selection processes, job descriptions, job evaluations, personnel policies affecting management and human resources, including orientation and development of employees, personnel records, wage and salary administration, labor laws, affirmative action planning, and equal employment opportunity legislation;

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(8) a course in medical terminology, including a study of commonly accepted medical terms used in long-term care; and

(9) a board-preapproved practicum course which relates knowledge courses to the practice of administration in long-term health care organizations. The course, which must be of a minimum of 300 clock hours, must be under the direction of a faculty person of the educational institution coordinating the course and carried out by a licensed nursing home administrator-preceptor. Upon mutual agreement of the educational facility and nursing home preceptor, a licensed nursing home may serve as the practicum site for an applicant who is employed by that nursing home.

H. Applicants with a degree in health care administration rather than long-term health care administration need only satisfy the practicum requirement of item G, subitem (9), and satisfactorily complete the courses described in item G, subitems (3) and (6).

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## **6400.0700 WAIVER PROVISIONS.**

Subpart 1. **Waiver of degree.** The board shall waive part 6400.0600, items G and H if the applicant submits satisfactory evidence of having actively served full time as a licensed nursing home administrator in another state for a minimum period of two continuous years within the immediate past five licensure years and meets all other licensure requirements.

Subp. 2. **Waiver of practicum course.** The board shall waive part 6400.0600, item G, subitem (9) if the applicant submits evidence of having completed satisfactorily one year continuous, full time as an administrator or in a position as an assistant administrator in an acute care, skilled care, or intermediate care facility, or as a director of nursing services or a director of social services in a skilled or intermediate care facility.

Subp. 3. **Waiver for a person registered as a hospital administrator on April 15, 1980.** The board shall waive the requirements of part 6400.0600, items G and H for any applicant who, on April 15, 1980, was registered with the commissioner of health as a hospital administrator and who was administratively responsible on April 15, 1980, for a nursing home (convalescent and nursing care unit) attached to a hospital and had served in that capacity for a period of three or more years. Any applicant applying for licensure pursuant to parts 6400.0600 and 6400.0700 shall be required to pass the currently used written examination.

The board shall waive all, except the following, requirements of part 6400.0600, items G and H for any applicant who, on April 15, 1980, was registered with the commissioner of health as a hospital administrator and who was administratively responsible on April 15, 1980, for a nursing home (convalescent and nursing care unit) attached to a hospital and had served in that capacity for a period of less than three years: long-term care programs, gerontology. Any applicant applying for licensure pursuant to parts 6400.0600 and 6400.0700 shall be required to pass the currently used written examination.

Subp. 4. **Waiver for Church of Christ, Scientist nursing homes.** The board shall waive any provision of its rules requiring a demonstration of medical knowledge which is contrary to the religious beliefs of the Church of Christ, Scientist for any applicant who seeks to obtain a license restricted to administering a nursing home operated exclusively in accordance with the teachings of the Church of Christ, Scientist. Any license issued pursuant to this subpart shall be endorsed to restrict the licensee to administering such institutions.

Subp. 5. **Waiver for certain administrators of nursing homes attached to hospitals.** The board shall waive the requirements of part 6400.0600, items F, G, and H for any applicant who on April 15, 1980, was registered with the

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commissioner of health as a hospital administrator and who was administratively responsible on April 15, 1980, for a nursing home (convalescent and nursing care unit) attached to a hospital, and who is applying for a license restricted to the administration of a nursing home attached to a hospital. Any license issued pursuant to this subpart shall be endorsed to restrict the licensee to the administration of a nursing home attached to a hospital.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

### 6400.0800 APPLICATION.

Subpart 1. **Content; time of submission and validity.** Application for licensure shall be made on forms provided by the board and shall be accompanied by all the required supportive information and documents. Completed applications shall be received by the board no less than 45 days in advance of an examination date. Applications shall become void one year after the application form is filed with the licensure board unless the applicant maintains an active file by either writing the examinations when offered or is enrolled in an approved educational course designed to meet licensure requirements and so notifies the board.

Subp. 2. **Grounds for rejection.** The board, in its discretion, may reject any application where the applicant has not shown by the application compliance with the requirements of parts 6400.0600 and 6400.0700.

Subp. 3. **Notice of rejection.** Any applicant for licensure whose application has been rejected by the board shall be given written notice of the disqualification, and the reasons therefor, and of a right to a hearing.

Subp. 4. [Repealed by amendment, 8 SR 1480]

Subp. 5. **Discrimination prohibited.** There shall be no discrimination with regard to applicants or license holders on the ground of age, race, color, sex, creed, or national origin.

Subp. 6. **Fees not refunded.** Any license or examination fees paid to the board cannot be refunded.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

### 6400.0900 EXAMINATION.

Each examination shall consist of one or more written and/or oral tests and may include such other evaluative techniques as the board may employ. Each examination shall include, but shall not be limited to, the following subjects:

- A. applicable standards of environmental health and safety;
- B. local health and safety regulations;
- C. general administration;
- D. psychology of patient care;
- E. general principles of medical care;
- F. personal and social care; and
- G. therapeutic and supportive care and services in long-term care.

**Statutory Authority:** *MS s 144.959; 144A.29*

NOTE: Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.

### 6400.1000 LICENSE ISSUANCE.

An applicant for a license as a nursing home administrator who has complied with the requirements of the licensing law and the standards provided herein shall be issued a license on a form provided for that purpose by the board, certifying that such applicant has met the requirements of the laws and rules entitling him to serve, act and practice, and otherwise hold himself out as a duly licensed nursing home administrator subject to any endorsements on the

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license. Any license issued by the board shall be under the hand and seal of the chairperson and secretary of the board.

**Statutory Authority:** *MS s 144A.21*

**6400.1100** [Repealed by amendment, 8 SR 1480]

### **6400.1200 USE OF TITLE RESTRICTED.**

Only an individual who is qualified as a licensed nursing home administrator and who holds a valid license pursuant to this chapter for the current registration period shall have the right and privilege of using the title "Licensed Nursing Home Administrator" and of using the abbreviation "L.N.H.A." after his or her name.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

### **6400.1300 ACTING ADMINISTRATOR.**

If a licensed nursing home administrator is removed from his position by death or other unexpected cause, the owner, governing body, or other appropriate authority of the nursing home suffering such removal may designate an acting nursing home administrator who may serve for no more than 180 days. The owner, governing body, or other appropriate authority of the nursing home suffering such removal shall notify the licensure board in writing within 15 days of the termination of service of the administrator as well as the appointment of the new administrator. Upon receipt of notification of a vacancy, the board shall provide, if the designated new administrator is not fully licensed, the appropriate forms for securing an acting license. The board shall expediently process all qualified applicants for acting license. If an application is received after a vacancy occurs, the acting license shall be retroactive to the date the applicant assumed administrative responsibility of the facility.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

### **6400.1400 RECIPROCITY.**

Subpart 1. **General requirements.** The board, subject to the law pertaining to the licensing of nursing home administrators prescribing the qualifications for nursing home administrator license, may endorse, without examination, a nursing home administrator license issued by the proper authorities of any other state or political subdivision of the United States provided:

A. that such other state or subdivision of the United States, maintains a system and standard of qualification examination for nursing home administrator licensure which is substantially equivalent to those required in the state of Minnesota;

B. that such applicant for endorsement is familiar with Minnesota's state and local health and safety regulations related to nursing homes and has successfully passed the board's examination on state rules;

C. that applicant for endorsement is in good standing as a nursing home administrator as such in each state or subdivision of the United States from which he or she has ever received a nursing home administrator license or reciprocal endorsement; and

D. that an applicant who seeks licensure by reciprocity shall pay a service fee, as established by the board not to exceed \$50.

Subp. 2. **Reciprocity of revocation.** The board shall have power and after due notice an opportunity to be heard at a formal hearing pursuant to the Administrative Procedure Act, Minnesota Statutes 1969, chapter 15, to revoke or suspend the endorsement of a nursing home administrator license issued to any person on evidence satisfactory to the board that the duly constituted authorities

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of any state have lawfully revoked or suspended the nursing home administrator license issued to such person by such state.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## 6400.1500 DISPLAY OF LICENSE.

Every person licensed as a nursing home administrator shall display such license in a conspicuous place in the office, place of business, or employment of such licensee.

**Statutory Authority:** *MS s 144.959; 144A.29*

NOTE: Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.

## 6400.1600 DUPLICATE LICENSES.

Upon receipt of satisfactory evidence that a license has been lost, mutilated, or destroyed, the board may issue a duplicate license upon payment of a fee established by the board, not to exceed \$25.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## 6400.1700 RENEWAL.

**Subpart 1. Forms from board.** Every person who holds a valid license as a nursing home administrator issued by the board shall annually apply on or before June 1, to the board for a renewal of the license and report any information deemed pertinent and requested by the board on forms provided for that purpose.

**Subp. 2. Fees; time for renewal.** Upon making an application for a renewal of his license such licensee shall pay the annual fee as established by the board, not to exceed \$125. Renewal applications received after July 1 shall pay the late filing fees as established by the board not to exceed \$30 for the first six months and \$50 for the second six months. The applicant shall submit evidence satisfactory to the board that during the annual period immediately preceding such application he has complied with the rules of this board and continues to meet the requirements as established, including, but not limited to, continuing educational requirements for relicensure. Nonacademic continuing education requirements of relicensure shall be completed by May 1 of each year for the ensuing licensure year; however, upon presentation of a written petition, licensees may be granted an extension for an appropriate period of time. Extensions will only be granted in unusual circumstances. Applicants granted extensions will be required to make payment of applicable late filing fees.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## 6400.1800 CONTINUING EDUCATION REQUIREMENTS.

Licensees, in order to be eligible for consideration for renewal of their license, shall be required to satisfy the following continuing educational requirements:

A. annual attendance at licensure board-approved seminars, institutes, or workshops totaling at least 20 clock hours; and

B. satisfactory completion during each three-year license renewal period of at least six quarter-credit hours or four semester hours in health care courses related to long-term health care administration from an educational institution accredited by the appropriate regional accrediting agency or attendance during the same time period at an additional 30 clock hours of

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board-approved seminars, institutes, or workshops.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## 6400.1900 SPONSORS FOR CONTINUING EDUCATION.

Subpart 1. **Conditions.** Agencies wishing to sponsor educational seminars, institutes, or workshops shall submit in writing, a minimum of 30 days in advance of the presentation, the following information, so that the appropriate number of clock hours may be assigned:

- A. date, time, and location of presentation;
- B. presentation broken down into specific time periods, topic titles, and speakers;
- C. brief biography of all faculty;
- D. number of clock hours requested;
- E. a statement indicating the agency's willingness to provide to the board and shall, upon request of the board, so provide:
  - (1) a method for accurately recording attendance at each presentation;
  - (2) a certificate of attendance or an appropriate record attesting to the number of clock hours actually attended for each attendee;
  - (3) a roster of attendees to the licensure board for which certificates of attendance forms were issued;
  - (4) an evaluation by all participants of the program in the following areas: relevance and appropriateness of program content; methods and procedures, instructional techniques, and material used in presentation of program content; effectiveness of faculty in presenting program material; the extent to which the purposes and objectives of the program are achieved.

Subp. 2. **Exceptions.** In the event a licensed administrator attends a seminar, institute, or workshop conducted by an agency, who reasonably would not be expected to be aware of the requirements for continuing education approval, but meets the approval criteria, the board may assign a specific number of clock hours and grant appropriate credit to participants providing participants submit a written report on each of the educational offerings attended along with their registration badge or other proof of attendance. This report shall be on a form provided by the board. Such form may include but not be limited to provisions for the following information:

- A. name of seminar attended;
- B. sponsor of seminar;
- C. date and location of seminar;
- D. topic title of each presentation;
- E. name of presenter of each presentation;
- F. time period of presentation;
- G. summary of subject matter presented.

**Statutory Authority:** *MS s 144.959; 144A.29*

NOTE: Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.

## 6400.2000 DETERMINATION OF CREDIT HOURS FOR CONTINUING EDUCATION.

Seminars, institutes, or workshops shall be evaluated for clock hour credits on the following dual-level basis:

A. Seminars, institutes, or workshops shall receive full clock hour credit upon meeting the following criteria:

- (1) subject matter specifically related to the primary administrator functions and responsibilities of long-term health care;



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(2) subject matter designed for development of administrative skills in health care administration; and

(3) instructors have documented academic background sufficient to demonstrate competence and expertise in involved subject.

B. Seminars, institutes, or workshops not meeting item A, but relevant in introducing new knowledge or techniques, refresh inactive or neglected skills, or which serve to improve professional job performance in the general area of health care administration not primarily related to administrator functions or responsibilities, and which meet the following criteria, shall receive clock hour credit equal to one-half of the regular basis:

(1) subject matter related to health care administration;

(2) subject matter designed for development of administrative skills in health care administration;

(3) instructor's vitae with documented background sufficient to demonstrate competence and expertise in involved subject.

The license of a nursing home administrator who fails to comply with the provisions of parts 6400.1700 to 6400.2200 and who continues to act as a nursing home administrator may be suspended or revoked by the board in the manner provided by these rules.

**Statutory Authority:** *MS s 144.959; 144A.29*

NOTE: Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.

## 6400.2100 RENEWAL OF LICENSE.

A nursing home administrator who has been duly licensed in this state, whose license shall not have been revoked or suspended, and whose license has expired, may apply for renewal of his license upon filing with the board an affidavit of such fact. The board, in its discretion, may reissue the license or may require the applicant to meet licensure requirements as of that date. A nursing home administrator need not be actively practicing as a nursing home administrator in order to be eligible to renew his license.

**Statutory Authority:** *MS s 144.959; 144A.29*

NOTE: Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.

## 6400.2200 REVOCATION, SUSPENSION, REFUSAL.

Subpart 1. **Criteria.** The board may suspend or revoke a license or refuse to renew a license of a nursing home administrator after due notice and an opportunity to be heard at a formal hearing, upon substantial evidence that such person:

A. has violated any of the provisions of the law pertaining to the licensing of nursing home administrators or the rules of the board pertaining thereto; or

B. has wilfully or repeatedly violated any of the provisions of the law, code, rules, or regulations of the licensing or supervising authority or agency of the state or political subdivision thereof having jurisdiction over the operation and licensing of nursing homes;

C. has practiced fraud, deceit, or misrepresentation in securing or procuring a nursing home administrator license; or

D. is found by the board to be incompetent to practice as a nursing home administrator.

Subp. 2. **Criteria for disciplinary action.** In determining whether a person is incompetent to serve in the profession of nursing home administration as provided in subpart 1, the noninclusive items listed in items A to K may be considered. No person shall be licensed or continue to be licensed as a nursing home administrator if he or she:

A. has practiced fraud, deceit, or misrepresentation in his or her capacity as a nursing home administrator;

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B. has committed acts of misconduct in the operation of a nursing home under his or her jurisdiction;

C. has practiced without annual registration;

D. has wrongfully transmitted or surrendered possession of his or her license or certificate to any other person, either temporarily or permanently;

E. has paid, given, has caused to be paid or given, or offered to pay or give to any person, a commission or other consideration for solicitation or procurement either directly or indirectly for nursing home patronage;

F. has practiced fraudulent, misleading, or deceptive advertising with respect to the institution of which he or she is an administrator, to any person;

G. has falsely impersonated another licensee of a like or different name;

H. has failed to exercise true regard for the safety, health, and life of a patient;

I. has wilfully permitted unauthorized disclosure of information relating to a patient or the patient's record;

J. has discriminated with respect to patients, employees, or staff on account of age, race, sex, religion, color, or national origin; or

K. is habitually overindulgent or addicted to the use of habitforming drugs, including alcohol; a legend drug as defined in Minnesota Statutes, chapter 151; a chemical as defined in Minnesota Statutes, chapter 151; or a controlled substance as defined in Minnesota Statutes, chapter 152 and this overindulgence or addiction has affected the person's performance of his or her duties. In reviewing this disciplinary matter, the board shall consider any attempt the person has made toward rehabilitation.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## **6400.2300 RESTORATION AND REINSTATEMENT.**

Subpart 1. **Restoration.** Upon revocation by the board, a license may be restored within a period of two years, but no sooner than six months, when the board in its discretion, and upon submission of satisfactory evidence, finds that the applicant for such restoration of license has removed the disability by complying to the requirements of part 6400.0800.

Subp. 2. **Hearing on request.** If the board refuses to grant an application for restoration of a license, then, upon written request of the applicant, a formal hearing shall be held on the application for restoration.

Subp. 3. **Lapsed licenses.** If the application for renewal has not been received by July 31 of each year, the license will be lapsed and the holder of a lapsed license will be subject to reinstatement procedure. Holders of a license that has been lapsed for five years or longer shall be regarded as having forfeited all rights and privileges for restoration of the lapsed license.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** *8 SR 1480*

## **6400.2400 PROGRAM APPROVAL.**

Subpart 1. **Approval of programs for licensure.** A program of study offered by an accredited educational institution must have prior approval of the board in order to be acceptable for meeting nursing home administrator licensure requirements. The board shall approve programs of study which include courses in the areas described in part 6400.0600, item G, subitems (1) to (7) and (9), upon payment of a service fee as established by the board, not to exceed \$40 per program.

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Subp. 2. **Approval of programs for relicensure.** Any program of study offered by an educational institution, association, professional society, individual, or organization must be approved by the board before it will qualify as sufficient to meet the education and training requirements necessary for relicensure of applicants as nursing home administrators. A program of study designed to train and qualify for relicensure as a nursing home administrator offered by any accredited university or college, individual, association, or organization shall be deemed acceptable and approved for such purposes if the information required under part 6400.1900 is provided to the board by the program sponsor.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** 8 SR 1480

## 6400.2500 APPLICANT RESPONSIBILITY.

The applicant shall furnish the board evidence of satisfactory completion of an approved program of study.

**Statutory Authority:** *MS s 144A.21 subd 2; 144A.24; 144A.29*

**History:** 8 SR 1480

## 6400.2600 [Repealed, 8 SR 1480]

## 6400.2700 COMPLAINTS PROCEDURE.

All complaints made to the board or its employees or representatives shall be processed in accordance with Minnesota Statutes 1976, chapter 214, as it shall from time to time be amended, and any other statutory provisions applicable to the processing of complaints.

**Statutory Authority:** *MS s 144.959; 144A.29*

**NOTE:** Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.

## 6400.2800 CONDUCT OF HEARING.

Any hearing initiated pursuant to the statutory authority of the board and/or pursuant to these rules shall be conducted pursuant to the requirements of Minnesota Statutes 1976, chapter 15 as it may from time to time be amended.

**Statutory Authority:** *MS s 144.959; 144A.29*

**NOTE:** Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.

## 6400.2900 INTERPRETATION OF RULES.

The rules of the board are intended to be consistent with applicable federal and state law and shall be construed, whenever necessary, to achieve such consistency.

**Statutory Authority:** *MS s 144.959; 144A.29*

**NOTE:** Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.

## 6400.3000 SEVERABILITY.

In the event that any provision of these rules is declared unconstitutional or invalid, or the application thereof to any person or circumstance is held unconstitutional or invalid, the applicability or validity of every other provision of these rules shall not be affected thereby.

**Statutory Authority:** *MS s 144.959; 144A.29*

**NOTE:** Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.

## 6400.3100 PENDING ACTIONS NOT AFFECTED.

These rules shall not affect pending actions or proceedings, civil or criminal, but the same may be prosecuted or defended in the same manner and with the same effect as though these rules had not been promulgated.

**Statutory Authority:** *MS s 144.959; 144A.29*

**NOTE:** Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.

# MINNESOTA RULES 1985

5505 LICENSING OF NURSING HOME ADMINISTRATORS 6400.3200

## 6400.3200 AMENDMENTS TO RULES.

Amendments to these rules shall be made according to the applicable provisions of the Administrative Procedure Act, Minnesota Statutes, chapter 14.

**Statutory Authority:** *MS s 144.959; 144A.29*

**NOTE:** Minnesota Statutes, section 144.959 has been repealed by Laws 1976, chapter 173, section 64.