

The Virginia Board of Long-Term Care Administrators convened a Regulatory Advisory Panel on Tuesday, March 11, 2025, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #4, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Lisa Kirby, NHA, Chair
Kimberly Brathwaite, ALFA
Jasmine Montgomery, NHA

PANEL MEMBERS PRESENT:

Maryanne Lee, Virginia Assisted Living Association
Dana Parsons, Vice President and Legislative Counsel, LeadingAge Virginia
Tara Ragland, Department of Social Services
Jennifer Yañez Pryor, ALFA, Virginia Commonwealth University

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Sarah Georgen, Licensing and Operations Supervisor
Annette Kelley, MS, CSAC, Deputy Executive Director
Matt Novak, Policy and Economic Analyst
M. Brent Saunders, Senior Assistant Attorney General
Corie E. Tillman Wolf, JD, Executive Director

OTHER GUESTS PRESENT

Bess Toole, McGuireWoods Consulting

CALL TO ORDER

Ms. Kirby called the meeting to order at 10:01 a.m. and asked the meeting participants to introduce themselves.

Ms. Tillman Wolf then read the emergency egress instructions.

REVIEW OF AGENDA

Ms. Kirby requested proposed changes to the ordering of the agenda.

Ms. Kirby stated that panel members had printed handouts to help facilitate the discussion, including a document that outlines previous discussions by the Panel and the status of recommendations to the full Board. Ms. Tillman Wolf reviewed the handouts with panel members.

CHARGE OF THE REGULATORY ADVISORY PANEL (RAP)

Ms. Kirby provided an overview of the charge of the RAP. She stated that the RAP was convened to continue regulatory discussions with stakeholders resulting from the ALF AIT Resources and Supports Workgroup meetings. Ms. Kirby noted that the discussion surrounding the challenges faced by Administrators-in-Training (AIT) in the long term care setting continues and that specific areas of discussion and input were requested from the RAP, including recommendations on (1) the size of training sites for Assisted Living Facility (ALF) AIT programs; (2) preceptor registration requirements; (3) concerns related to the national examination for assisted living; (4) the development of resources and continued stakeholder collaboration in this area.

DISCUSSION AND RECOMMENDATIONS

Size of Training Facilities for ALF AIT Programs

Ms. Tillman Wolf provided the draft AIT findings of a survey developed with the DHP Healthcare Workforce Data Center related to possible training obstacles in the AIT program.

Ms. Ragland provided information on the observations of facilities within the Department of Social Services (DSS) purview. She stated that types of violations remain unchanged but noted that the severity of the violations appears to have increased. Ms. Ragland noted that there are data challenges with the new DSS system, but she would work with DHP to compare available data and any correlations. She stated that, anecdotally, there seemed to be a higher number of enforcement actions related to facilities with newer administrators and in smaller facilities. Ms. Tillman Wolf supported the collaboration with the DSS and suggested the possible review of order data from applicable companion cases through the Board of Nursing and the Board of Long-Term Care Administrators.

Preceptor Registration Requirements

Ms. Kirby reviewed the suggested amendments to the regulations related to assisted living facility administrators (18VAC95-30-10 et seq.). Ms. Tillman Wolf stated that the Board could consider a parallel change to the nursing home administrator regulations.

Ms. Tillman Wolf suggested a recommendation to the full Board to waive the preceptor application requirements for ALF for a person already approved as a Nursing Home Administrator (NHA) Preceptor. She also suggested continuing to clarify NHA requirements for precepting in assisted living facilities based on the NHA preceptor registration.

The Panel discussed continuously updating the Voluntary Preceptor Directory on the Board website to include any additional restrictions for preceptors to provide training.

The Panel discussed unpaid AIT programs that create an undue burden toward licensure, as well as opportunities for grants or funding support for AITs, suggesting the continued collaboration with stakeholders in this area.

The Panel discussed possible regulatory amendments to address the concerns raised about the current limitation on the size of an ALF facility for training of AITs. The Panel discussed possible regulatory actions related to capacity restrictions, observational hours in a secondary facility, or a prelicensure course based on an approved National Association of Long Term Care Administrator Boards (NAB) curriculum. The Panel consensus was to forward all of the possible regulatory amendments discussed to the full Board for consideration.

Concerns Related to National Examination for Residential Care/Assisted Living (RCAL)

The Panel discussed concerns related to the National Examination for Residential Care/Assisted Living (RC/AL), suggesting continued collaboration with stakeholders. Ms. Tillman Wolf stated that she would continue to share concerns on tools and resources to support examination candidates with NAB as challenges arise.

The Panel reviewed different avenues for AITs and Preceptors to strengthen their skills. The Panel agreed that educational and training opportunities offered by stakeholders would benefit these efforts.

Ms. Tillman Wolf stated that April Payne, Virginia Health Care Association/Virginia Center for Assisted Living, was planning to present information on prelicensure courses under development by VHCA/VCAL.

Development of Prelicensure Courses

Ms. Kirby stated that Ms. Payne was scheduled to provide additional information at the full Board meeting related to VHCA's efforts to develop a prelicensure course for NHAs and the ALFAs using a model from the Ohio Certified Executive for Assisted Living (CEAL) certification program.

Stakeholder Collaboration and Resource Development

The Panel discussed increasing the knowledge base for AITs and Preceptors through stakeholder support.

The Panel discussed new administrator training similar to DSS Phase 2 trainings that were provided in the past.

WRAP UP/NEXT STEPS

Ms. Tillman Wolf provided a recap of the recommendations proposed by the Panel (Attachment A).

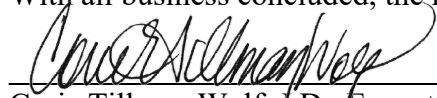
Upon a **MOTION** by Ms. Montgomery, properly seconded by Ms. Brathwaite, the Panel voted to provide the recommendations discussed with the full Board for consideration and possible action. The motion passed unanimously.

Ms. Kirby stated that the recommendations from the RAP meeting would be presented to the full Board for consideration.

Ms. Kirby thanked the participants for their time and collaboration.

ADJOURNMENT

With all business concluded, the meeting adjourned at 11:35 a.m.



Corie Tillman Wolf, J.D., Executive Director

June 25, 2025

Date

Regulatory Advisory Panel – Assisted Living Facility Administrators-in-Training
Considerations for Board of Long-Term Care Administrators – Final Recommendations

Area	Concern	Recommendation	Actions for Consideration
Preceptors	Clarification that licensees who serve as regional administrators of buildings can obtain initial registration as preceptor even if not currently working as the administrator in a building	1. Amend 18VAC95-30-180(B) to clarify requirements for initial registration of preceptors	Board Discussion; Board motion to initiate regulatory action – whether NOIRA or Fast-Track Action
		2. Consider parallel amendment to 18VAC95-20-380(A) for NHA process	Board Discussion; Board motion to initiate regulatory action – whether NOIRA or Fast-Track Action
	Confusion regarding separate ALF Preceptor registration process for Nursing Home Administrators (NHAs) who serve as preceptors in assisted living	3. Waive application and fee requirement in 18VAC95-30-180(B)(4) for ALF Preceptor Registration for a person who is already approved as a NHA Preceptor	Board Discussion; Board motion to waive application and fee requirement or Motion to Adopt Board Guidance Document, if necessary
		4. Update Board application, registration, and renewal processes to clarify/to implement that NHA licensees are not required to register separately as ALF preceptors, but may precept in assisted living facilities based upon NHA preceptor registration	Staff to implement based upon Board action
	Allowance for preceptors to oversee training for more AITs at one time - will allow for more prospective AITs to match with preceptors who may have capacity to train an additional AIT	5. Amend 18VAC95-30-180(D) and 18VAC95-20-340(B) to permit preceptors to train three AITs at one time	Board Discussion; Board motion to initiate regulatory action – whether NOIRA or Fast-Track Action
	Difficulty in matching prospective AITs with preceptors, particularly if preceptors are permitted only to supervise training of AITs affiliated with their parent company/ corporate entity	6. Continuously update information in Voluntary Preceptor Directory available on Board website to include any additional restrictions for preceptors to provide training	Staff to continue to ask for updated information during preceptor renewal process and to provide link for submission of information to Board in licensee communications

Area	Concern	Recommendation	Actions for Consideration
	Preceptors who charge to provide training for AITs – puts undue burden on both prospective AITs and smaller operators to pay for AIT training	7. Add fields to Voluntary Preceptor Directory and ask Preceptors whether they or their company pay AITs for training or whether the Preceptor or their company charge for AIT training	Staff to amend preceptor information submission form to include questions regarding payment/charge for AIT training
		8. Consider other actions to address concerns related to preceptor fees for AIT programs	Board Discussion; continue to collaborate with stakeholders in this area
	Unpaid AIT programs – puts undue burden on AITs to either work in an unpaid position or work a second job at the same time they are trying to fulfill AIT hour requirements	9. Encourage building/facility owners to prioritize payment for AITs in their facilities while the AITs are completing on-the-job training	Board Discussion; continue to collaborate with stakeholders in this area
		10. Explore options or opportunities for grants or other funding to support payment of AITs for training in long-term care facilities	Board Discussion; continue to collaborate with stakeholders in this area
Training Facilities	Limitation on size of ALF facility for training of AITs in 18VAC95-30-170(B)(4) creates an undue burden on smaller providers	11. Consider possible regulatory action in this area based upon the following options discussed by the RAP: a. Strike existing ALF resident capacity restriction in 18VAC95-30-170(B)(4); b. Amend resident capacity number in 18VAC95-30-170(B)(4); c. Add language to 18VAC95-30-170(B)(4) to approve primary training in facility <20 residents, but that AIT complete a minimum of x% training or observational hours in a secondary facility with 20 or more residents; or d. Require completion of 80-hour prelicensure course based upon approved NAB curriculum if facility size restriction eliminated, with hours to count toward overall AIT hours.	Board Discussion; Board motion to initiate regulatory action – whether NOIRA or Fast-Track Action
		12. Collaborate with DSS on tracking and comparing data on violations and/or discipline related to facilities or administrators in individual databases	Staff to coordinate with DSS staff in this area
National Examination for RC/AL	Concern regarding passage rates for NAB national examination for assisted living administrators	13. Continue to encourage use of the VCU RCAL Exam Preparation Course as an exam preparation tool developed and offered by an accredited NAB program	Continue to collaborate with stakeholders in this area

Area	Concern	Recommendation	Actions for Consideration
	(CORE and RCAL) and whether passage rates create a barrier to licensure		
		14. Support the development of prelicensure courses by VHCA/VCAL for NHA and ALFA applicants, based upon the 80-hour NAB-approved curricula for pre-licensure courses, which hours may be approved by the Board toward AIT required training hours	Board Discussion; Board motion to initiate regulatory action - whether NOIRA or Fast-Track Action; Continue to collaborate with stakeholders in this area;
		15. Support the development of a webinar series by LeadingAge Virginia, in conjunction with the Board, NAB, VCU, and other stakeholders to support AIT training and AIT/Preceptor networking	Continue to collaborate with stakeholders in this area
	Concerns regarding misinformation about the NAB examinations	16. Continue to provide feedback to NAB regarding the revision and/or development of resources and tools to enhance preparation for exam candidates (streamlined reference lists for primary vs. secondary resources, recommended study courses list)	Staff to continue to provide information to NAB on concerns raised by stakeholders and feedback on tools and resources to support exam candidates
		17. Ensure dissemination of correct information about the NAB exam and what needs to be studied – whether on administrator online forums or elsewhere	Staff to continue to provide information to NAB on concerns raised by stakeholders, feedback on tools and resources to support exam candidates,
	Concerns regarding NHA content on CORE and RCAL exams	18. Update link to NAB RCAL AIT Manual information once updated by NAB to remove confusing/legacy NHA material (mid-January 2025)	Staff to confirm that updated RCAL materials are linked to Board website/provided to applicants
Ongoing training for newer administrator licensees	Concerns about new(er) administrators and uptick in complaints to the Board	19. Continue discussion regarding impactful ways of providing education to new administrators regarding investigation and reporting of incidents, mandatory reporting, FRI and report writing, etc. (e.g. DSS Phase II training)	Continue to collaborate with stakeholders in this area