

**March 13, 2026**

The Legislative/Regulatory Committee of the Virginia Board of Long-Term Care Administrators convened on Friday, March 13, 2026, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Training Room #1, Henrico, Virginia.

**BOARD MEMBERS PRESENT**

Pamela Dukes, Committee Chair  
Felita Creekmore, ALFA, Board Member  
Latonya Hughes, NHA, Board Member

**DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING**

Erin Barrett, JD, Director of Legislative and Regulatory Affairs  
Sarah Georgen, Board Administrator  
Annette Kelley, MS, CSAC, Deputy Executive Director  
Corie Tillman Wolf, JD, Executive Director  
Heather Wright, Senior Licensing Specialist

**BOARD COUNSEL**

Sara Blose, Senior Assistant Attorney General, Board Counsel

**OTHER GUESTS PRESENT**

Reuben Canty, Commonwealth Senior Living  
Judy Hackler, Virginia Assisted Living Association  
Tracey Lewis, LeadingAge Virginia  
Jasmine Montgomery, Commonwealth Senior Living

**CALL TO ORDER**

Ms. Dukes called the meeting to order at 1:36 p.m. and asked the Committee members and staff to introduce themselves.

With two Committee members present at the meeting, a quorum was established.

Ms. Dukes read the mission of the Board, which is also the mission of the Department of Health Professions.

Ms. Dukes reminded the Board members and audience about microphones, computer agenda materials, breaks, sign-in sheets, and attendance for continuing education requirements.

Ms. Tillman Wolf then read the emergency egress instructions.

## **APPROVAL OF THE AGENDA**

Ms. Dukes opened the floor to any additional items to add to the agenda.

Upon a **MOTION** by Ms. Creekmore and properly seconded by Ms. Dukes, the Committee voted to accept the agenda as presented. The motion carried unanimously (2-0).

## **PUBLIC COMMENT**

Judy Hackler, Virginia Assisted Living Association, submitted written public comments and read them aloud to the Committee (Attachment A).

## **DISCUSSION AND COMMITTEE RECOMMENDATIONS**

Dr. Hughes arrived at 1:46 p.m.

### ***Review and Consideration of Amendments - Periodic Review of Regulations (18VAC95-15-10 et seq.)***

Ms. Barrett and Ms. Tillman Wolf presented proposed amendments to Chapter 15 of the Board's Regulations. The Committee reviewed and discussed the staff recommendations for amendments for the Periodic Review of the Regulations related to 18VAC95-15-10 et seq.

Upon a **MOTION** by Ms. Creekmore and properly seconded by Dr. Hughes, the Committee voted to recommend the amendments to 18VAC95-15-10 et seq., as presented. The motion carried unanimously (2-0). (Attachment B)

### ***Review and Consideration of Amendments - Periodic Review of Regulations (18VAC95-20-10 et seq.)***

Ms. Tillman Wolf presented proposed amendments to Chapter 20 of the Board's Regulations. Ms. Tillman Wolf summarized recent discussions by the National Association of Long Term Care Administrator Boards (NAB) regarding the use of "Administrator Residency" terminology in lieu of "Administrator-in-Training," noting that the Board could decide to implement that terminology at a later date into the regulations.

The Committee reviewed and discussed the staff recommendations and amendments to the Periodic Review of the Regulations related to 18VAC95-20-10 et seq.

Upon a **MOTION** by Ms. Creekmore and properly seconded by Dr. Hughes, the Committee voted to recommend the changes to 18VAC95-20-10 et seq., as discussed and amended. The motion carried unanimously (3-0). (Attachment C)

### ***Review and Consideration of Amendments - Periodic Review of Regulations (18VAC95-30-10 et seq.)***

Ms. Tillman Wolf presented proposed amendments to Chapter 30 of the Board's Regulations, which included a pending question before the Committee related to the size of training facilities for Assisted Living

Administrator-in-Training (AIT) Programs. Ms. Tillman Wolf noted that the training facility issue was previously discussed by the Board's Regulatory Advisory Panel and referred back to the Board with a lack of consensus.

The Committee reviewed and discussed the staff recommendations and amendments to the Periodic Review of the Regulations related to 18VAC95-30-10 et seq.

Upon a **MOTION** by Dr. Hughes and properly seconded by Ms. Creekmore, the Committee voted to recommend removal of the existing requirement for the size of a training facility for Assisted Living Facility Administrators-in-Training (AITs) from 18VAC95-30-170(B)(4). The motion carried unanimously (3-0).

Upon a **MOTION** by Dr. Hughes and properly seconded by Ms. Creekmore, the Committee voted to recommend the changes to 18VAC95-30-10 et seq., excluding the existing size of a training facility, as discussed and amended. The motion carried unanimously (3-0). (Attachment D)

### ***Review of Proposed Revisions to Board Bylaws***

The Committee reviewed the staff recommendations and proposed Board Bylaws revisions as presented by Ms. Tillman Wolf.

Upon a **MOTION** by Ms. Creekmore and properly seconded by Dr. Hughes, the Committee voted to recommend the proposed revisions to the Board Bylaws as presented. The motion carried unanimously (3-0). (Attachment E)

### ***Review of Guidance Documents***

#### ***95-4, Board Policy on the Use of Confidential Consent Agreements (December 23, 2021)***

Ms. Tillman Wolf provided Guidance Document 95-4, "Board Policy on the Use of Confidential Consent Agreements," for review by the Committee. She stated that there were no substantive changes, except for a reference revision to a policy document instead of Guidance Document 95-2. The Committee did not have any other proposed edits to the Guidance Document presented.

#### ***95-13, Guidance on Completion of Continuing Education (December 23, 2021)***

Ms. Tillman Wolf provided Guidance Document 95-13, "Guidance on Completion of Continuing Education," for review by the Committee. Ms. Tillman Wolf noted that the Board's previous regulatory reduction amendments incorporated the Board's guidance regarding signatures on CE certificates. Ms. Tillman Wolf further noted that the Board's guidance regarding "live" CE was incorporated into the staff drafts for the periodic review of the regulations. Once the regulatory amendments are finalized, the Board may wish to remove the Guidance Document in the future. The Committee did not have any proposed edits to the Guidance Document presented.

### ***Consideration of Policy Document - Board Policy on Processing Requests for Additional Examination Attempts***

Ms. Tillman Wolf provided an overview of the current NAB policy regarding examination attempts and stated that the Board does not have limits, rather, it follows the limits imposed by NAB. The Committee reviewed and discussed a draft policy document regarding a board policy on processing requests for additional examination attempts for candidates who reach the maximum attempts permitted by NAB within the examination cycle.

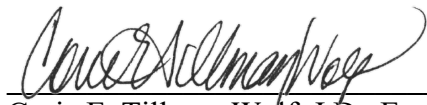
Upon a **MOTION** by Ms. Creekmore and properly seconded by Dr. Hughes, the Committee voted to recommend the proposed policy document as presented. The motion carried unanimously (3-0). (Attachment F)

### **NEXT STEPS**

Ms. Dukes stated that the recommendations of the Committee, as outlined in the motions, would be presented to the full Board for consideration at the next scheduled Board meeting on June 23, 2026, and that another Legislative/Regulatory Committee Meeting would be scheduled for a later date if necessary.

### **ADJOURNMENT**

Ms. Dukes called for any objections to adjourn the meeting. Hearing no objections and with all business concluded, the meeting adjourned at 3:11 p.m.



Corie E. Tillman Wolf, J.D., Executive Director

June 24, 2026

Date



# Virginia Assisted Living Association

*"Virginia's Unified Voice for Assisted Living"*

To: Virginia Board of Long-Term Care Administrators Legislative/Regulatory Committee

From: Judy Hackler, Executive Director  
Virginia Assisted Living Association, PO Box 71266, Henrico, VA 23255  
(804) 332-2111 ~ [jhackler@valainfo.org](mailto:jhackler@valainfo.org)

Date: March 13, 2026

Re: Public Comments regarding Regulatory Oversight of Assisted Living Facility Administrators and Preceptors

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The Virginia Assisted Living Association (VALA) often receives concerns from assisted living providers across the Commonwealth expressing frustration and desperation in addressing the severe shortage that exists of licensed assisted living facility administrators and preceptors as well as available training facilities for individuals to become an administrator in training (AIT).

We appreciate Virginia ensuring an ALF AIT receives sufficient training and experiences, but we often hear from providers that operate in other states that Virginia is significantly harder to operate in than other states, especially neighboring states. These differences can make it more difficult to recruit and develop new administrators and may unintentionally discourage experienced professionals from entering or relocating to Virginia's assisted living sector. The two most common concerns that are applicable to today's discussion are:

1. **Restricting the number of times an individual may take the NAB exam** creates additional strain on individuals that may have testing disabilities or anxiety. If NAB is concerned with the pass rate being negatively impacted by repeat test takers, then there should be consideration as to why an individual failed the exam in the first place. The pass rate for first time test takers has been significantly low and continuing in that direction in recent years, which should also lead to a deeper dive into the applicability of the exam questions to the practicing industry. Many highly educated and intelligent individuals strongly passionate about caring for seniors have failed the exam, but they are excellent administrators that are fluent in Virginia's regulations.
2. With 25% of the licensed assisted living facilities having the capacity to serve less than 20 residents, **preventing** them from serving as **AIT training facilities** creates an undue burden and discriminates against smaller assisted living providers significantly restricting business operations and training opportunities. This regulation can also restrict available housing options for seniors if the smaller ALFs are not able to recruit or train administrators to oversee the operation, then the ALF will be forced to close due to its inability to comply with regulations.

We have previously shared written and oral comments with the Board of Long-Term Care Administrators, its Regulatory Advisory Panel, and this committee on these items along with other opportunities for improving Virginia's regulatory oversight of assisted living facility administrators. We welcome the opportunity to work further with the Board to improve Virginia's regulations, so they effectively ensure that long-term care administrators are well trained and qualified, while also avoiding unnecessary licensing barriers. Doing so would help support workforce development, improve regulatory consistency for multi-state providers, and ensure that qualified individuals are not unnecessarily deterred from pursuing licensure in the Commonwealth.

We appreciate the Board's willingness to engage with stakeholders and welcome the opportunity to collaborate further on practical regulatory improvements that both protect residents and support a sustainable assisted living workforce in Virginia.

*Commonwealth of Virginia*



# **REGULATIONS**

## **GOVERNING DELEGATION TO AN AGENCY SUBORDINATE**

**Virginia Board of Long-Term Care  
Administrators**

**Title of Regulations: 18VAC95-15-10 et seq.**

**Statutory Authority: § 54.1-2400 and Chapter 31 of Title 54.1  
of the *Code of Virginia***

**Effective Date: April 16, 2021**

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## Chapter 15. Regulations Governing Delegation to an Agency Subordinate

### ~~18VAC95-15-10. Decision to delegate.~~

~~In accordance with subdivision 10 of § 54.1-2400 of the Code of Virginia, the board may delegate an informal fact-finding proceeding to an agency subordinate upon determination that probable cause exists that a practitioner may be subject to a disciplinary action.~~

### ~~18VAC95-15-20. Criteria for delegation.~~

~~Cases that may not be delegated to an agency subordinate include violations of standards of practice, except as may otherwise be determined by the executive director in consultation with the board chair.~~

### **18VAC95-15-30. Criteria for an agency subordinate.**

- A. An agency subordinate authorized by the board to conduct an informal fact-finding proceeding may include current or past board members and professional staff or other persons deemed knowledgeable by virtue of their training and experience in administrative proceedings involving the regulation and discipline of health professionals.
- B. The executive director shall maintain a list of appropriately qualified persons to whom an informal fact-finding proceeding may be delegated.
- C. The board may delegate to the executive director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being heard.

*Commonwealth of Virginia*



# **REGULATIONS**

## **GOVERNING THE PRACTICE OF NURSING HOME ADMINISTRATORS**

**Virginia Board of Long-Term Care  
Administrators**

**Title of Regulations: 18VAC95-20-10 et seq.**

**Statutory Authority: § 54.1-2400 and Chapter 31 of Title 54.1  
of the *Code of Virginia***

**Effective Date: April 9, 2025**

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## **Part I. General Provisions.**

### **18VAC95-20-10. Definitions.**

A. The following words and terms when used in this chapter shall have the definitions ascribed to them in §54.1-3100 of the Code of Virginia:

“Board”

“Nursing home”

“Nursing home administrator”

B. The following words and terms when used in this chapter shall have the following meanings unless the context indicates otherwise:

"Accredited institution" means any degree-granting college or university accredited by an accrediting body approved by the U. S. Department of Education.

"Active practice" means a minimum of 1,000 hours of practice as a licensed nursing home administrator within the preceding 24 months.

"AIT" or “trainee” means a person enrolled in the administrator-in-training program in nursing home administration in a licensed nursing home.

"Administrator-of-record" means the licensed nursing home administrator designated in charge of the general administration of the facility and identified as such to the facility's licensing agency.

"Approved sponsor" means an individual, business or organization approved by NAB or by an accredited institution to offer continuing education programs in accordance with this chapter.

"Continuing education" means the educational activities that serve to maintain, develop, or increase the knowledge, skills, performance and competence recognized as relevant to the nursing home administrator's professional responsibilities.

"Domains of Practice" means the content areas of tasks, knowledge, and skills necessary for administration of a nursing home as approved by NAB.

"Full time" means employment of at least 35 hours per week.

"Hour" means 50 minutes of participation in a program for obtaining continuing education.

"Internship" means a practicum or course of study as part of a degree or post-degree program designed especially for the preparation of candidates for licensure as nursing home administrators that involves supervision by an accredited college or university of the practical application of previously studied theory.

"National examination" means a test used by the board to determine the competence of candidates for licensure as administered by the NAB or any other examination approved by the board.

"Preceptor" means a nursing home administrator currently licensed and registered or recognized by a nursing home administrator licensing board to conduct an administrator-in-training (AIT) program.

**18VAC95-20-20 to 18VAC95-20-50. (Repealed.)**

**18VAC95-20-60. Posting of license.**

Each licensee shall post his license in a main entrance or place conspicuous to the residents and to the public in the facility in which the licensee is administrator-of-record.

**18VAC95-20-70. Accuracy of information.**

A. All changes in the address of record or the public address, if different from the address of record, or the name of a licensee, trainee, or preceptor shall be furnished to the board within 30 days after the change occurs.

B. All notices required by law and by this chapter to be mailed by the board to any registrant or licensee shall be validly given when mailed to the latest address of record on file with the board and shall not relieve the licensee, trainee, or preceptor of the obligation to comply

**18VAC95-20-80. Required fees.**

The applicant or licensee shall submit all fees in this section that apply:

|                                                         |             |
|---------------------------------------------------------|-------------|
| 1. AIT program application                              | \$215       |
| 2. Preceptor application                                | \$65        |
| 3. Licensure application                                | \$315       |
| 4. Verification of licensure requests from other states | \$35        |
| 5. Nursing home administrator license renewal           | \$315       |
| 6. Inactive nursing home administrator license renewal  | \$150       |
| 7. Preceptor renewal                                    | \$65        |
| 8. Fee for nursing home administrator late renewal      | \$110       |
| 9. Fee for preceptor late renewal                       | \$25        |
| 10. Fee for late inactive licensure renewal             | \$35        |
| 11. Nursing home administrator reinstatement            | \$435       |
| 12. Preceptor reinstatement                             | \$105       |
| 13. Duplicate license                                   | \$25        |
| <u>14. First wall certificate</u>                       | <u>\$25</u> |
| <del>14.</del> <u>15.</u> Duplicate wall certificates   | \$40        |

~~15.~~ 16. Reinstatement after disciplinary action \$1,000

**18VAC95-20-90 to 18VAC95-20-120. (Repealed.)**

**18VAC95-20-130. Additional fee information.**

A. There shall be a fee of \$50 for a returned check or a dishonored credit card or debit card.

B. Fees shall not be refunded once submitted.

C. Examination fees are to be paid directly to the service or entity that administers the examinations.

**Part II. Renewals and Reinstatements.**

**18VAC95-20-140 to 18VAC95-20-160. (Repealed.)**

**18VAC95-20-170. Renewal requirements.**

A. A person who desires to renew his license or preceptor registration for the next year shall, not later than the expiration date of March 31 of each year, submit a completed renewal form and fee.

B. The renewal form and fee shall be received no later than the expiration date. Postmarks shall not be considered.

C. A nursing home administrator license or preceptor registration not renewed by the expiration date shall be invalid.

**18VAC95-20-175. Continuing education requirements.**

A. In order to renew a nursing home administrator license, an applicant shall attest on the renewal application to completion of 20 hours of approved continuing education for each renewal year.

1. Up to 10 of the 20 hours may be obtained through Internet or self-study courses ~~and up to 10 continuing education hours in excess of the number required may be transferred or credited to the next renewal year.~~

2. Live coursework hours may be satisfied by attendance of (1) in-person programs or courses or (2) real-time, interactive programs delivered via teleconference or webcast where there is an opportunity to interact with the speaker.

3. Up to 10 continuing education hours in excess of the number required may be transferred or credited to the next renewal year.

24. Up to two hours of the 20 hours required for annual renewal may be satisfied through delivery of services, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those services. One hour of continuing education may be credited for one hour of providing such volunteer services, as documented by the health department or free clinic.

35. At least two hours of continuing education for each renewal year shall relate to the care of residents with mental or cognitive impairments, including Alzheimer's disease and dementia.

46. A licensee who serves as the registered preceptor in an approved AIT or Assisted Living Facility AIT program may receive one hour of continuing education credit for each week of training up to a maximum of 10 hours of self-study course credit for each renewal year.

57. Up to two hours of the 20 hours required for annual renewal may be satisfied through attendance at a meeting of the board or disciplinary proceeding conducted by the board in which the licensee is not a participant.

8. A licensee is exempt from completing continuing education requirements and considered in compliance on the first renewal date following initial licensure.

B. In order for continuing education to be approved by the board, it shall be (i) related to health care administration and shall be approved or offered by NAB, an accredited institution, or a government agency or (ii) as provided in subdivision A 2 or A 7 of this section.

C. Documentation of continuing education.

1. The licensee shall retain in the licensee's personal files for a period of three renewal years complete documentation of continuing education, including evidence of attendance or participation as provided by the approved sponsor for each course taken.

2. Evidence of attendance shall be an original document provided by the approved sponsor and shall include:

- a. Date the course was taken;
- b. Hours of attendance or participation; and
- c. Participant's name.

3. If contacted for an audit, the licensee shall forward to the board by the date requested a signed affidavit of completion on forms provided by the board and evidence of attendance or participation as provided by the approved sponsor or as documented in the NAB continuing education registry.

D. The board may grant an extension of up to one year or an exemption for all or part of the continuing education requirements due to circumstances beyond the control of the administrator, such as a certified illness, a temporary disability, mandatory military service, or officially declared disasters. The request for an extension or exemption shall be received in writing and granted by the board prior to the renewal date.

#### **18VAC95-20-180. Late renewal.**

A. A person who fails to renew a license or preceptor registration by the expiration date may, within one year of the initial expiration date:

- 1. Return the renewal notice or request renewal in writing to the board; and
- 2. Submit the applicable renewal fee and late fee-; and

3. Provide evidence as may be necessary to establish eligibility for renewal.

B. The documents required in subsection A of this section shall be received in the board office within one year of the initial expiration date. Postmarks shall not be considered.

**18VAC95-20-190. (Repealed.)**

**18VAC95-20-200. Reinstatement for nursing home administrator license or preceptor registration.**

A. The board may reinstate a nursing home administrator license or preceptor registration that was not renewed within one year of the initial expiration date.

B. An applicant for nursing home administrator license reinstatement shall apply on a reinstatement form provided by the board, submit the reinstatement fee, and provide one of the following:

1. Evidence of the equivalent of 20 hours of continuing education for each year since the last renewal, not to exceed a total of 60 hours.
2. Evidence of active practice in another state or U.S. jurisdiction or in the U.S. armed services during the period licensure in Virginia was lapsed.
3. Evidence of requalifying for licensure by meeting the requirements prescribed in 18VAC95-20-220 or 18VAC95-20-225.

C. An applicant for preceptor reinstatement shall apply on a reinstatement form provided by the board, submit the reinstatement fee, and meet the current requirements for a preceptor in effect at the time of application for reinstatement.

D. Any person whose license or registration has been suspended, revoked, or denied renewal by the board under the provisions of 18VAC95-20-470 shall, in order to be eligible for reinstatement, (i) submit a reinstatement application to the board for a license, (ii) pay the appropriate reinstatement fee, and (iii) submit any other credentials as prescribed by the board. After a hearing, the board may, at its discretion, grant the reinstatement.

**18VAC95-20-201. Inactive licensure.**

A. A nursing home administrator who holds a current, unrestricted license in Virginia shall, upon a request for inactive status on the renewal application and submission of the required renewal fee, be issued an inactive license.

1. An inactive licensee shall not be entitled to perform any act requiring a license to practice nursing home administration or registration to serve as a preceptor in Virginia.
2. The holder of an inactive license shall not be required to meet continuing education requirements, except as may be required for reactivation in subsection B of this section.

B. A nursing home administrator who holds an inactive license may reactivate a license by:

1. Paying the difference between the renewal fee for an inactive license and that of an active license for the year in which the license is being reactivated; and
2. Providing proof of completion of the number of continuing competency hours required for the period in which the license has been inactive, not to exceed three years.

C. A preceptor registration for a nursing home administrator who holds an inactive license will be expired as of the date of deactivation. An expired preceptor registration may be reinstated in accordance with the provisions of 18VAC95-20-200.

#### **18VAC95-20-210. (Repealed.)**

### **Part III. Requirements for Licensure.**

#### **18VAC95-20-220. Qualifications for initial licensure.**

One of the following sets of qualifications is required for licensure as a nursing home administrator:

1. Degree and practical experience. The applicant shall (i) hold a baccalaureate or higher degree in a health care-related field that meets the requirements of [18VAC95-20-221](#) from an accredited institution, (ii) have completed not less than a 320-hour internship that addresses the Domains of Practice as specified in [18VAC95-20-390](#) in a licensed nursing home as part of the degree program under the supervision of a preceptor, and (iii) have received a passing grade on the national examination;
2. Certificate program. The applicant shall (i) hold a baccalaureate or higher degree from an accredited college or university, (ii) successfully complete a **certificate** program with a minimum of 21 semester hours study in a health care-related field that meets the requirements of [18VAC95-20-221](#) from an accredited institution, (iii) successfully complete not less than a 400-hour internship that addresses the Domains of Practice as specified in [18VAC95-20-390](#) in a licensed nursing home as part of the certificate program under the supervision of a preceptor, and (iv) have received a passing grade on the national examination;
3. Administrator-in-training program. The applicant shall have (i) successfully completed an AIT program that meets the requirements of Part IV ([18VAC95-20-300](#) et seq.) of this chapter and (ii) received a passing grade on the national examination; or
4. Health Services Executive (HSE) credential. The applicant shall provide evidence that the applicant has met the minimum education, experience, and examination standards established by NAB for qualification as a Health Services Executive.

#### **18VAC95-20-221. Required content for coursework.**

To meet the educational requirements for a degree in a health care-related field, an applicant must provide an official transcript from an accredited college or university that documents successful

completion of a minimum of 21 semester hours of coursework concentrated on the administration and management of health care services to include a minimum of three semester hours in each of the content areas in subdivisions 1 through 4 of this section, six semester hours in the content area set out in subdivision 5 of this section, and three semester hours for an internship.

1. Customer care, supports, services: Course content shall address program and service planning, supervision and evaluation to meet the needs of ~~patients~~ residents, such as (i) nursing, medical and pharmaceutical care; (ii) rehabilitative, social, psycho-social and recreational services; (iii) nutritional services; (iv) safety and rights protections; (v) quality assurance; and (vi) infection control.

2. Human resources: Course content shall focus on personnel leadership in a health care management role and must address organizational behavior and personnel management skills such as (i) staff organization, supervision, communication and evaluation; (ii) staff recruitment, retention, and training; (iii) personnel policy development and implementation; and (iv) employee health and safety.

3. Finance: Course content shall address financial management of health care programs and facilities such as (i) an overview of financial practices and problems in the delivery of health care services; (ii) financial planning, accounting, analysis and auditing; (iii) budgeting; (iv) health care cost issues; and (v) reimbursement systems and structures.

4. Environment: Course content shall address facility and equipment management such as (i) maintenance; (ii) housekeeping; (iii) safety; (iv) inspections and compliance with laws and regulations; and (v) emergency preparedness.

5. Leadership and management: Course content shall address the leadership roles in health delivery systems such as (i) government oversight and interaction; (ii) organizational policies and procedures; (iii) principles of ethics and law; (iv) community coordination and cooperation; (v) risk management; and (vi) governance and decision making.

#### **18VAC95-20-225. Qualifications for licensure by endorsement.**

The board may issue a license to any person who:

1. Holds a current, unrestricted license from any state or the District of Columbia; and
2. Meets one of the following conditions:
  - a. Has been engaged in active practice as a licensed nursing home administrator; or
  - b. Has education and experience equivalent to qualifications required by this chapter and has provided written evidence of those qualifications at the time of application for licensure.

#### **18VAC95-20-230. Application package.**

A. An application for licensure shall be submitted after the applicant completes the qualifications for licensure.

B. An individual seeking licensure as a nursing home administrator or registration as a preceptor shall submit:

1. A completed application as provided by the board;
2. Additional documentation as may be required by the board to determine eligibility of the applicant;
3. The applicable fee; and
4. A current report from the U.S. Department of Health and Human Services National Practitioner Data Bank (NPDB).

C. An incomplete package shall be retained by the board for one year, after which time the application shall be destroyed and a new application and fee shall be required.

**18VAC95-20-240 to 18VAC95-20-290. (Repealed.)**

#### **Part IV. Administrator-In-Training Program.**

##### **18VAC95-20-300. Administrator-in-training qualifications.**

A. To be approved as an administrator-in-training, a person shall:

1. Have received a passing grade on a total of 60 semester hours of education from an accredited institution;
2. Obtain a registered preceptor to provide training;
3. Submit the fee prescribed in [18VAC95-20-80](#);
4. Submit the application and Domains of Practice form provided by the board; and
5. Submit additional documentation as may be necessary to determine eligibility of the applicant and the number of hours required for the AIT program.

B. An incomplete package shall be retained by the board for one year, after which time the application shall be destroyed and a new application and fee shall be required.

##### **18VAC95-20-310. Required hours of training.**

A. The AIT program shall consist of 2,000 hours of continuous training in a facility as prescribed in [18VAC95-20-330](#) to be completed within 24 months. An extension may be granted by the board on an individual case basis. The board may reduce the required hours for applicants with certain qualifications as prescribed in subsections B and C of this section.

B. An AIT applicant with prior health care work experience may request approval to receive a maximum 1,000 hours of credit toward the total 2,000 hours as follows:

1. The applicant shall have been employed full time for four of the past five consecutive years immediately prior to application as an assistant administrator or director of nursing in a training facility as prescribed in 18VAC95-20-330, or as the licensed administrator of an assisted living facility;

2. The applicant with experience as a hospital administrator shall have been employed full time for three of the past five years immediately prior to application as a hospital administrator-of-record or an assistant hospital administrator in a hospital setting having responsibilities in all of the following areas:

- a. Regulatory;
- b. Fiscal;
- c. Supervisory;
- d. Personnel; and
- e. Management; or

3. The applicant who holds a license as a registered nurse shall have held an administrative level supervisory position for at least four of the past five consecutive years, in a training facility as prescribed in 18VAC95-20-330.

C. An AIT applicant with the following educational qualifications shall meet these requirements:

1. An applicant with a master's or a baccalaureate degree in a health care-related field that meets the requirements of 18VAC95-20-221 with no internship shall complete 320 hours in an AIT program;

2. An applicant with a master's degree in a field other than health care shall complete 1,000 hours in an AIT program;

3. An applicant with a baccalaureate degree in a field other than health care shall complete 1,500 hours in an AIT program; or

4. An applicant with 60 semester hours of education in an accredited college or university shall complete 2,000 hours in an AIT program.

D. An AIT shall be required to serve weekday, evening, night and weekend shifts and to receive training in all areas of nursing home operation. An AIT shall receive credit for no more than 40 hours of training per week.

E. An AIT shall complete training on the care of residents with cognitive or mental impairments, including Alzheimer's disease and dementia.

**18VAC95-20-320. (Repealed.)**

**18VAC95-20-330. Training facilities.**

Training in an AIT program shall be conducted only in:

1. A nursing home licensed by the Virginia Board of Health or by a similar licensing body in another jurisdiction;
2. An institution operated by the Virginia Department of Behavioral Health and Developmental Services in which long-term care is provided;
3. A certified nursing home owned or operated by an agency of any city, county, or the Commonwealth or of the United States government; or
4. A certified nursing home unit that is located in and operated by a licensed hospital as defined in § [32.1-123](#) of the Code of Virginia, a state-operated hospital, or a hospital licensed in another jurisdiction.

**18VAC95-20-340. Supervision of trainees.** [Amendments currently pending under Fast Track Action]

- A. Training shall be under the supervision of a preceptor who is registered or recognized by a licensing board.
- B. A preceptor may supervise no more than two AIT's at any one time.
- C. A preceptor shall:
  1. Provide direct instruction, planning, and evaluation in the training facility;
  2. Shall be routinely present with the trainee for on-site supervision in the training facility as appropriate to the experience and training of the AIT and the needs of the residents in the facility; and
  3. Shall continually evaluate the development and experience of the AIT to determine specific areas in the Domains of Practice that need to be addressed.

**18VAC95-20-350 to 18VAC95-20-370. (Repealed.)**

**18VAC95-20-380. Qualifications of preceptors.** [Amendments currently pending under Fast Track Action]

- A. To be registered by the board as a preceptor, a person shall:
  1. Hold a current, unrestricted Virginia nursing home administrator license and be employed full time as an administrator of record in a training facility for a minimum of two of the past three years immediately prior to registration; and
  2. Provide evidence that he has completed the online preceptor training course offered by NAB; and
  3. Meet the application requirements in 18VAC95-20-230.

B. To renew registration as a preceptor, a person shall:

1. Hold a current, unrestricted Virginia nursing home administrator license and be employed by or have an agreement with a training facility for a preceptorship; and
2. Meet the renewal requirements of 18VAC95-20-170.

**18VAC95-20-390. Training plan.**

Prior to the beginning of the AIT program, the preceptor shall develop and submit for board approval a training plan that shall include and be designed around the specific training needs of the administrator-in-training. The training plan shall address the Domains of Practice approved by NAB that is in effect at the time the training program is submitted for approval. An AIT program shall include training in each of the learning areas as outlined in the NAB AIT Manual.

**18VAC95-20-400. Reporting requirements.**

A. The preceptor shall maintain progress reports on forms prescribed by the board for each month of training. The preceptor shall document in the progress report evidence of on-site supervision of the AIT training.

B. The AIT's final report of completion with the accumulated original monthly reports shall be submitted by the preceptor to the board within 30 days following the completion of the AIT program.

C. The preceptor shall maintain copies of progress and completion reports related to the training of the AIT for a period of not less than three years after the conclusion of the training.

**18VAC95-20-410 to 18VAC95-20-420. (Repealed.)**

**18VAC95-20-430. Termination of program.**

A. If the AIT program is terminated prior to completion, the trainee and the preceptor shall each submit a written explanation of the causes of program termination to the board within 10 business days.

B. The preceptor shall also submit all required monthly progress reports completed prior to termination.

**18VAC95-20-440. Interruption of program.**

A. If the program is interrupted because the registered preceptor is unable to serve, or if the AIT changes preceptors or training facilities, the AIT shall notify the board within five ten working days.

B. Credit for training shall resume when a new preceptor or training facility is obtained and approved by the board, provided a new preceptor or training facility is secured prior to the expiration of the AIT registration.

C. If an alternate training plan is developed, it shall be submitted to the board for approval before the AIT resumes training.

D. Credit for hours completed under an approved AIT program and reported to the Board in accordance with the timelines herein may be counted toward completion of an AIT program for a period of three years from the date of completion.

**18VAC95-20-450 to 18VAC95-20-460. (Repealed.)**

## **Part V. Refusal, Suspension, Revocation, and Disciplinary Action.**

### **18VAC95-20-470. Unprofessional conduct.**

The board may refuse to admit a candidate to an examination, refuse to issue or renew a license or registration or approval to any applicant, suspend a license for a stated period of time or indefinitely, reprimand a licensee or registrant, place his license or registration on probation with such terms and conditions and for such time as it may designate, impose a monetary penalty, or revoke a license or registration for any of the following causes:

1. Conducting the practice of nursing home administration in such a manner as to constitute a danger to the health, safety, and well-being of the residents, staff, or public;
2. Failure to comply with federal, state, or local laws and regulations governing the operation of a nursing home;
3. Conviction of a felony or any misdemeanor involving abuse, neglect or moral turpitude;
4. Violating or cooperating with others in violating any of the provisions of Chapters 1 (§ 54.1-100 et seq.), 24 (§ 54.1-2400 et seq.) and 31 (§ 54.1-3100 et seq.) of the Code of Virginia or regulations of the board;
5. Inability to practice with reasonable skill or safety by reason of illness or substance abuse or as a result of any mental or physical condition;
6. Abuse, negligent practice, or misappropriation of a resident's property;
7. Entering into a relationship with a resident that constitutes a professional boundary violation in which the administrator uses his professional position to take advantage of the vulnerability of a resident or his family, to include actions that result in personal gain at the expense of the resident, an inappropriate personal involvement with a resident, or sexual conduct with a resident;
8. The denial, revocation, suspension, or restriction of a license to practice in another state, the District of Columbia, or a United States possession or territory;
9. Assuming duties and responsibilities within the practice of nursing home administration without adequate training or when competency has not been maintained;
10. Obtaining supplies, equipment, or drugs for personal or other unauthorized use;
11. Falsifying or otherwise altering resident or employer records, including falsely representing facts on a job application or other employment-related documents;
12. Fraud or deceit in procuring or attempting to procure a license or registration or seeking reinstatement of a license or registration; ~~or~~
13. Employing or assigning unqualified persons to perform functions that require a license, certificate, or registration; ~~or~~

14. Engaging in a pattern of behavior or interaction in a health care setting that interferes with resident care or could reasonably be expected to adversely impact the quality of care and services rendered to a resident; or

15. The denial, revocation, suspension, surrender, or restriction of a license, certification, or registration to practice issued by a health regulatory board in the Commonwealth of Virginia.

**18VAC95-20-480 to 18VAC95-20-740. (Repealed.)**

DRAFT

*Commonwealth of Virginia*



# **REGULATIONS**

## **GOVERNING THE PRACTICE OF ASSISTED LIVING FACILITY ADMINISTRATORS**

**Virginia Board of Long-Term Care  
Administrators**

**Title of Regulations: 18VAC95-30-10 et seq.**

**Statutory Authority: § 54.1-2400 and Chapter 31 of Title 54.1  
of the *Code of Virginia***

**Effective Date: April 9, 2025**

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## Part I. General Provisions.

### 18VAC95-30-10. Definitions.

A. The following words and terms when used in this chapter shall have the definitions ascribed to them in §54.1-3100 of the Code of Virginia:

“Assisted living facility”

“Assisted living facility administrator”

“Board”

B. The following words and terms when used in this chapter shall have the following meanings unless the context indicates otherwise:

"Accredited institution" means any degree-granting college or university accredited by an accrediting body approved by the U.S. Department of Education.

"Active practice" means a minimum of 1,000 hours of practice as an assisted living facility administrator within the preceding 24 months.

"Administrator-of-record" means the licensed assisted living facility administrator designated as the person who is responsible for in-charge-of the general administration and management of an assisted living facility and who oversees the day-to-day operation of the facility, including compliance with applicable regulations, and identified as such to the facility's licensing agency.

"ALF AIT" or “trainee” means a person enrolled in an administrator-in-training program in a licensed assisted living facility.

"Approved sponsor" means an individual, business, or organization approved by NAB or by an accredited institution to offer continuing education programs in accordance with this chapter.

"Continuing education" means the educational activities that serve to maintain, develop, or increase the knowledge, skills, performance, and competence recognized as relevant to the assisted living facility administrator's professional responsibilities.

"Domains of Practice" means the content areas of tasks, knowledge and skills necessary for administration of a residential care or assisted living facility as approved by NAB.

"Full time" means employment of at least 35 hours per week.

"Hour" means 50 minutes of participation in a program for obtaining continuing education.

"Internship" means a practicum or course of study as part of a degree or post-degree program designed especially for the preparation of candidates for licensure as assisted living facility administrators that involves supervision by an accredited college or university of the practical application of previously studied theory.

"NAB" means the National Association of Long Term Care Administrator Boards.

"National examination" means a test used by the board to determine the competence of candidates for licensure as administered by NAB or any other examination approved by the board.

"Preceptor" means an assisted living facility administrator or nursing home administrator currently licensed and registered to conduct an ALF AIT program.

### **18VAC95-30-20. Posting of license.**

Each licensee shall post his license in a main entrance or place conspicuous to the residents and to the public in each facility in which the licensee is administrator-of-record.

### **18VAC95-30-30. Accuracy of information.**

A. All changes in the address of record or the public address, if different from the address of record, or the name of a licensee, trainee, or preceptor shall be furnished to the board within 30 days after the change occurs.

B. All notices required by law and by this chapter to be mailed by the board to any licensee shall be validly given when mailed to the latest address of record on file with the board and shall not relieve the licensee, trainee, or preceptor of the obligation to comply.

### **18VAC95-30-40. Required fees.**

A. The applicant or licensee shall submit all fees in this subsection that apply:

|                                                                          |             |
|--------------------------------------------------------------------------|-------------|
| 1. ALF AIT program application                                           | \$215       |
| 2. Preceptor application                                                 | \$65        |
| 3. Licensure application                                                 | \$315       |
| 4. Verification of licensure requests from other states                  | \$35        |
| 5. Assisted living facility administrator license renewal                | \$315       |
| 6. Inactive license renewal                                              | \$65        |
| 7. Preceptor renewal                                                     | \$150       |
| 8. Fee for assisted living facility administrator late renewal           | \$110       |
| 9. Fee for preceptor late renewal                                        | \$25        |
| 10. Fee for inactive license late renewal                                | \$35        |
| 11. Assisted living facility administrator reinstatement                 | \$435       |
| 12. Preceptor reinstatement                                              | \$105       |
| 13. Duplicate license                                                    | \$25        |
| <u>14. First wall certificate</u>                                        | <u>\$25</u> |
| <del>14</del> 15. Duplicate wall certificates                            | \$40        |
| <del>15</del> 16. Returned check or dishonored credit card or debit card | \$50        |
| <del>16</del> 17. Reinstatement after disciplinary action                | \$1,000     |

B. Fees shall not be refunded once submitted.

C. Examination fees are to be paid directly to the service or entity that administers the examination.

### **18VAC95-30-50. Practice by a licensed nursing home administrator.**

Pursuant to §54.1-3102 B of the Code of Virginia, a person who holds a license as a nursing home administrator issued by the board may engage in the general administration of an assisted living facility.

## **Part II. Renewals and Reinstatements.**

### **18VAC95-30-60. Renewal requirements.**

A. A person who desires to renew his license or preceptor registration for the next year shall, not later than the expiration date of March 31 of each year, submit a completed renewal form and fee.

B. The renewal form and fee shall be received no later than the expiration date. Postmarks shall not be considered.

C. An assisted living facility administrator license or preceptor registration not renewed by the expiration date shall be invalid, and continued practice may constitute grounds for disciplinary action.

### **18VAC95-30-70. Continuing education requirements.**

A. In order to renew an assisted living administrator license, an applicant shall attest on the applicant's renewal application to completion of 20 hours of approved continuing education for each renewal year.

1. Up to 10 of the 20 hours may be obtained through Internet or self-study courses ~~and up to 10 continuing education hours in excess of the number required may be transferred or credited to the next renewal year.~~

2. Live coursework hours may be satisfied by attendance of (1) in-person programs or courses or (2) real-time, interactive programs delivered via teleconference or webcast where there is an opportunity to interact with the speaker.

3. Up to 10 continuing education hours in excess of the number required may be transferred or credited to the next renewal year.

4. Up to two hours of the 20 hours required for annual renewal may be satisfied through delivery of services, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those services. One hour of continuing education may be credited for one hour of providing such volunteer services, as documented by the health department or free clinic.

5. At least two hours of continuing education for each renewal year shall relate to the care of residents with mental or cognitive impairments, including Alzheimer's disease and dementia.

6. A licensee who serves as the registered preceptor in an approved ALF AIT program may receive one hour of continuing education credit for each week of training up to a maximum of 10 hours of self-study course credit for each renewal year.

7. Up to two hours of the 20 hours required for annual renewal may be satisfied through attendance at a meeting of the board or disciplinary proceeding conducted by the board in which the licensee is not a participant.

8. A licensee is exempt from completing continuing education requirements for the first renewal following initial licensure in Virginia.

B. In order for continuing education to be approved by the board, it shall (i) be related to the Domains of Practice for residential care or assisted living and approved or offered by NAB, an accredited educational institution, or a governmental agency or (ii) be as provided in subdivision A 2 or A 7 of this section.

C. Documentation of continuing education.

1. The licensee shall retain in the licensee's personal files for a period of three renewal years complete documentation of continuing education, including evidence of attendance or participation as provided by the approved sponsor for each course taken.

2. Evidence of attendance shall be an original document provided by the approved sponsor and shall include:

- a. Date the course was taken;
- b. Hours of attendance or participation; and
- c. Participant's name.

3. If contacted for an audit, the licensee shall forward to the board by the date requested a signed affidavit of completion on forms provided by the board and evidence of attendance or participation as provided by the approved sponsor or as documented in the NAB continuing education registry.

D. The board may grant an extension of up to one year or an exemption for all or part of the continuing education requirements due to circumstances beyond the control of the administrator, such as a certified illness, a temporary disability, mandatory military service, or officially declared disasters. The request for an extension or exemption shall be submitted in writing and granted by the board prior to the renewal date.

#### **18VAC95-30-80. Late renewal.**

A. A person who fails to renew a license or preceptor registration by the expiration date may, within one year of the initial expiration date:

1. Submit the renewal notice or request renewal by mail to the board;
2. Submit the applicable renewal fee and penalty fee; and
3. Provide evidence as may be necessary to establish eligibility for renewal.

B. The documents required in subsection A of this section shall be received in the board office within one year of the initial expiration date. Postmarks shall not be considered.

#### **18VAC95-30-90. Reinstatement for an assisted living facility administrator license or preceptor registration.**

A. The board may reinstate an assisted living facility administrator license or preceptor registration that was not renewed within one year of the initial expiration date.

B. An applicant for assisted living facility administrator license reinstatement shall apply on a reinstatement form provided by the board, submit the reinstatement fee, and provide one of the following:

1. Evidence of the equivalent of 20 hours of continuing education for each year since the last renewal, not to exceed a total of 60 hours.
2. Evidence of active practice in another state or United States jurisdiction or in the United States armed services during the period licensure in Virginia was lapsed.
3. Evidence of requalifying for licensure by meeting the requirements prescribed in 18VAC95-30-100 and 18VAC95-30-110.

C. An applicant for preceptor reinstatement shall apply on a reinstatement form provided by the board, submit the reinstatement fee, and meet the current requirements for a preceptor in effect at the time of application for reinstatement.

D. Any person whose license or registration has been suspended, revoked, or denied renewal by the board under the provisions of 18VAC95-30-210 shall, in order to be eligible for reinstatement, (i) submit a reinstatement application to the board for a license, (ii) pay the appropriate reinstatement fee, and (iii) submit any other credentials as prescribed by the board. After a hearing, the board may, at its discretion, grant the reinstatement.

#### **18VAC95-30-91. Inactive licensure.**

A. An assisted living facility administrator who holds a current, unrestricted license in Virginia shall, upon a request for inactive status on the renewal application and submission of the required renewal fee, be issued an inactive license.

1. An inactive licensee shall not be entitled to perform any act requiring a license to practice assisted living facility administration or registration to serve as a preceptor in Virginia.

2. The holder of an inactive license shall not be required to meet continuing education requirements, except as may be required for reactivation in subsection B of this section.

B. An assisted living facility administrator who holds an inactive license may reactivate such license by:

1. Paying the difference between the renewal fee for an inactive license and that of an active license for the year in which the license is being reactivated; and

2. Providing proof of completion of the number of continuing competency hours required for the period in which the license has been inactive, not to exceed three years.

C. A preceptor registration for an assisted living facility administrator who holds an inactive license will be expired as of the date of deactivation. An expired preceptor registration may be reinstated in accordance with the provisions of 18VAC95-30-90.

### **Part III. Requirements for Licensure.**

#### **18VAC95-30-95. (Repealed).**

#### **18VAC95-30-100. Educational and training requirements for initial licensure.**

A. To be qualified for initial licensure as an assisted living facility administrator, an applicant shall hold a high school diploma or general education diploma (GED) and hold one of the following qualifications:

1. Administrator-in-training program.

- a. Complete at least 30 semester hours of postsecondary education in an accredited college or university with at least 15 of the 30 semester hours in business or human services or a combination thereof and 640 hours in an ALF AIT program as specified in 18VAC95-30-150;
- b. Complete an educational program as a licensed practical nurse and hold a current, unrestricted license or multistate licensure privilege and 640 hours in an ALF AIT program;
- c. Complete an educational program as a registered nurse and hold a current, unrestricted license or multistate licensure privilege and 480 hours in an ALF AIT program;
- d. Complete at least 30 semester hours in an accredited college or university with courses in the content areas of (i) client or resident care, (ii) human resources management, (iii) financial management, (iv) physical environment, and (v) leadership and governance, and 480 hours in an ALF AIT program;
- e. Hold a master's or a baccalaureate degree in health care-related field or a comparable field that meets the requirements of subsection B of this section with no internship or practicum and 320 hours in an ALF AIT program;
- f. Hold a master's or baccalaureate degree in an unrelated field and 480 hours in an ALF AIT program; or
- g. Have at least three years of health care experience, to include at least one consecutive year in a managerial or supervisory role, in a health care setting within the five years prior to application and 640 hours in an ALF AIT program. For purposes of this qualification, these definitions shall apply: (i) "health care experience" means full-time equivalency experience in providing care to residents or patients in a health care setting; (ii) "health care setting" means a licensed home health organization, licensed hospice program, licensed hospital or nursing home, licensed assisted living facility, licensed adult day program, or licensed mental health or developmental services facility; and (iii) "managerial or supervisory role" means an employment role that includes management responsibility and supervision of two or more staff.

2. Certificate program.

Hold a baccalaureate or higher degree in a field unrelated to health care from an accredited college or university and successfully complete a certificate program with a minimum of 21 semester hours study in a health care-related field that meets course content requirements of subsection B of this section from an accredited college or university and successfully complete not less than a 320-hour internship or practicum that addresses the Domains of Practice as specified in 18VAC95-30-160 in a licensed assisted living facility as part of the certificate program under the supervision of a preceptor; or

3. Degree and practical experience.

Hold a baccalaureate or higher degree in a health care-related field that meets the course content requirements of subsection B of this section from an accredited college or university and have completed not less than a 320-hour internship or practicum that addresses the Domains of Practice as specified in 18VAC95-30-160 in a licensed assisted living facility as part of the degree program under the supervision of a preceptor.

B. To meet the educational requirements for a degree in a health care-related field, an applicant must provide an official transcript from an accredited college or university that documents successful completion of a minimum of 21 semester hours of coursework concentrated on the administration and management of health care services to include a minimum of six semester hours in the content area set out in subdivision 1 of this subsection, three semester hours in each of the content areas in subdivisions 2 through 5 of this subsection, and three semester hours for an internship or practicum.

1. Customer care, supports, and services: Course content shall address program and service planning, supervision and evaluation to meet the needs of residents, such as (i) access to nursing, medical and pharmaceutical services; (ii) rehabilitative, social, psycho-social and recreational services; (iii) nutritional services; (iv) safety and rights protections; (v) quality assurance; and (vi) infection control;
2. Human resources: Course content shall focus on personnel leadership in a health care management role and must address organizational behavior and personnel management skills such as (i) staff organization, supervision, communication and evaluation; (ii) staff recruitment, retention, and training; (iii) personnel policy development and implementation; and (iv) employee health and safety;
3. Finance: Course content shall address financial management of health care programs and facilities such as (i) an overview of financial practices and problems in the delivery of health care services; (ii) financial planning, accounting, analysis and auditing; (iii) budgeting; (iv) health care cost issues; and (v) reimbursement systems and structures;
4. Environment: Course content shall address facility and equipment management such as (i) maintenance; (ii) housekeeping; (iii) safety; (iv) inspections and compliance with laws and regulations; and (v) emergency preparedness;
5. Leadership and management: Course content shall address the leadership roles in health delivery systems such as (i) government oversight and interaction; (ii) organizational policies and procedures; (iii) principles of ethics and law; (iv) community coordination and cooperation; (v) risk management; and (vi) governance and decision making.

### **18VAC95-30-110. Examination requirement for initial licensure.**

To be licensed under 18VAC95-30-95 or 18VAC95-30-100, an applicant shall provide evidence of a passing grade on the national credentialing examination for administrators of assisted living facilities approved by the board.

### **18VAC95-30-120. Qualifications for licensure by endorsement or credentials.**

A. If applying from any state or the District of Columbia in which a license, certificate or registration is required to be the administrator of an assisted living facility, an applicant for licensure by endorsement shall hold a current, unrestricted license, certificate or registration from that state or the District of Columbia. If applying from a jurisdiction that does not have such a requirement, an applicant may apply for licensure by credentials, and no evidence of licensure, certification or registration is required.

B. The board may issue a license to any person who:

1. Meets the provisions of subsection A;
2. Has not been the subject of a disciplinary action taken by any jurisdiction in which he was found to be in violation of law or regulation governing practice and which, in the judgment of the board, has not remediated;
3. Meets one of the following conditions:
  - a. Has been engaged in active practice as an assisted living facility administrator in an assisted living facility that provides assisted living care as defined in § 63.2-100 of the Code of Virginia; or
  - b. Has education and experience substantially equivalent to qualifications required by this chapter and has provided written evidence of those qualifications at the time of application for licensure; or
  - c. Holds a current, unrestricted license as a nursing home administrator in any state or the District of Columbia; and
4. Has successfully passed a national credentialing examination for administrators of assisted living facilities approved by the board.

### **18VAC95-30-130. Application package.**

A. An application for licensure shall be submitted after the applicant completes the qualifications for licensure.

B. An individual seeking licensure as an assisted living facility administrator or registration as a preceptor shall submit:

1. A completed application as provided by the board;
2. Additional documentation as may be required by the board to determine eligibility of the applicant, to include the most recent survey report if the applicant has been serving as an acting administrator of a facility;
3. The applicable fee; and

4. A current report from the U.S. Department of Health and Human Services National Practitioner Data Bank (NPDB).

C. An incomplete package shall be retained by the board for one year, after which time the application shall be destroyed and a new application and fee shall be required.

## **Part IV. Administrator-in-Training Program.**

### **18VAC95-30-140. Training qualifications.**

A. To be approved as an ALF administrator-in-training, a person shall:

1. Meet the requirements of 18VAC95-30-100 A 1;
2. Obtain a registered preceptor to provide training;
3. Submit the application and Domains of Practice form provided by the board and the fee prescribed in 18VAC95-30-40; and
4. Submit additional documentation as may be necessary to determine eligibility of the applicant and the number of hours required for the ALF AIT program.

B. An incomplete package shall be retained by the board for one year after which time the application shall be destroyed and a new application and fee shall be required.

### **18VAC95-30-150. Required hours of training.**

A. The ALF AIT program shall consist of hours of continuous training as specified in 18VAC95-30-100 A 1 in a facility as prescribed in 18VAC95-30-170 to be completed within 24 months, except a person in an ALF AIT program who has been approved by the board and is serving as an acting administrator shall complete the program within 150 days. An extension may be granted by the board on an individual case basis. The board may reduce the required hours for applicants with certain qualifications as prescribed in subsection B of this section.

B. An ALF AIT applicant with prior health care work experience may request approval to receive hours of credit toward the total hours as follows:

1. An applicant who has been employed full time for one of the past four years immediately prior to application as an assistant administrator in a licensed assisted living facility or nursing home or as a hospital administrator shall complete 320 hours in an ALF AIT program;
2. An applicant who holds a license or a multistate licensure privilege as a registered nurse and who has held an administrative level supervisory position in nursing for at least one of the past four consecutive years, in a licensed assisted living facility or nursing home shall complete 320 hours in an ALF AIT program; or
3. An applicant who holds a license or a multistate licensure privilege as a licensed practical nurse and who has held an administrative level supervisory position in nursing for at least one of the past four consecutive years, in a licensed assisted living facility or nursing home shall complete 480 hours in an ALF AIT program.

### **18VAC95-30-160. Required content of an ALF administrator-in-training program.**

A. Prior to the beginning of the training program, the preceptor shall develop and submit for board approval a training plan that shall include and be designed around the specific training needs of the administrator-in-training. The training plan shall include the tasks and the knowledge and skills required to complete those tasks as approved by NAB as the domains of practice for residential care/assisted living in effect at the time the training is being provided. An ALF AIT program shall include training in each of the learning areas as outlined in the NAB AIT Manual.

B. An ALF AIT shall be required to serve weekday, evening, night, and weekend shifts and to receive training in all areas of an assisted living facility operation.

C. An ALF AIT shall receive credit for no more than 40 hours of training per week.

D. An ALF AIT shall complete training on the care of residents with cognitive or mental impairments, including Alzheimer's disease and dementia.

#### **18VAC95-30-170. Training facilities.**

A. Training in an ALF AIT program or for an internship shall be conducted only in:

1. An assisted living facility or unit licensed by the Virginia Board of Social Services or by a similar licensing body in another jurisdiction;
2. An assisted living facility owned or operated by an agency of any city, county, or the Commonwealth or of the United States government; or
3. An assisted living unit located in and operated by a licensed hospital as defined in § 32.1-123 of the Code of Virginia, a state-operated hospital, or a hospital licensed in another jurisdiction.

B. Training in an ALF AIT program or for an internship shall not be conducted in:

1. An assisted living facility with a provisional license as determined by the Department of Social Services in which the AIT program is a new ALF AIT program;
2. An assisted living facility with a conditional license as determined by the Department of Social Services in which the AIT applicant is the owner of the facility; or
3. A facility that is licensed as residential only and does not require an administrator licensed by the Board of Long-Term Care Administrators; ~~or~~

~~4. An assisted living facility with a licensed resident capacity of fewer than 20 residents.~~

- 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;
- 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.

### **18VAC95-30-180. Preceptors.**

A. Training in an ALF AIT program shall be under the supervision of a preceptor who is registered or recognized by Virginia or a similar licensing board in another jurisdiction.

B. To be registered by the board as a preceptor, a person shall:

1. Hold a current, unrestricted Virginia assisted living facility administrator or nursing home administrator license;
2. Be employed full time as an administrator in a training facility for a minimum of two of the past four years immediately prior to registration or be a regional administrator with on-site supervisory responsibilities for a training facility;
3. Provide evidence that he has completed the online preceptor training course offered by NAB; and
4. Submit an application and fee as prescribed in 18VAC95-30-40. The board may waive such application and fee for a person who is already approved as a preceptor for nursing home licensure.

C. A preceptor shall:

1. Provide direct instruction, planning, and evaluation;
2. Be routinely present for on-site supervision of the trainee in the training facility as appropriate to the experience and training of the ALF AIT and the needs of the residents in the facility; and
3. Continually evaluate the development and experience of the trainee to determine specific areas needed for concentration.

D. A preceptor may supervise no more than two trainees at any one time.

E. A preceptor for a person who is serving as an acting administrator while in an ALF AIT program shall be present in the training facility for face-to-face instruction and review of the trainee's performance for a minimum of four hours per week.

F. To renew registration as a preceptor, a person shall:

1. Hold a current, unrestricted Virginia assisted living facility or nursing home license and be employed by or have a written agreement with a training facility for a preceptorship; and
2. Meet the renewal requirements of 18VAC95-30-60.

### **18VAC95-30-190. Reporting requirements.**

A. The preceptor shall maintain progress reports on forms prescribed by the board for each month of training. The preceptor shall document in the progress report evidence of on-site supervision of the AIT training. For a person who is serving as an acting administrator while in an ALF AIT program, the preceptor shall include in the progress report evidence of face-to-face instruction and review for a minimum of four hours per week.

B. The trainee's final report of completion with the accumulated original monthly reports shall be submitted by the preceptor to the board within 30 days following the completion of the program.

C. The preceptor shall maintain copies of progress and completion reports related to the training of the ALF AIT for a period of not less than three years after the conclusion of the training.

#### **18VAC95-30-200. Interruption or termination of program.**

A. If the program is interrupted because the registered preceptor is unable to serve, or if the trainee changes preceptors or training facilities, the trainee shall notify the board within 10 working days.

1. Credit for training shall resume when a new preceptor or training facility is obtained and approved by the board, provided a new preceptor or training facility is secured prior to the expiration of the AIT registration.

2. If an alternate training plan is developed, it shall be submitted to the board for approval before the trainee resumes training.

B. If the training program is terminated prior to completion, the trainee and the preceptor shall each submit a written explanation of the causes of program termination to the board within 10 business days. The preceptor shall also submit all required monthly progress reports completed prior to termination within 10 business days.

C. Credit for hours completed under an approved ALF AIT program and reported to the Board in accordance with the timelines herein may be counted toward completion of an ALF AIT program for a period of three years from the date of completion.

#### **18VAC95-30-201. Administrator-in-training program for acting administrators.**

A. A person who is in an ALF AIT program while serving as an acting administrator, pursuant to § 54.1-3103.1 of the Code of Virginia, shall be identified on his nametag as an acting administrator-in-training.

B. The facility shall post the certificate issued by the board for the acting administrator and a copy of the license of the preceptor in a place conspicuous to the residents and to the public.

### **Part V. Refusal, Suspension, Revocation and Disciplinary Action.**

#### **18VAC95-30-210. Unprofessional conduct.**

The board may refuse to admit a candidate to an examination, refuse to issue or renew a license or registration or grant approval to any applicant, suspend a license or registration for a stated period of time or indefinitely, reprimand a licensee or registrant, place his license or registration on probation with such terms and conditions and for such time as it may designate, impose a monetary penalty, or revoke a license or registration for any of the following causes:

1. Conducting the practice of assisted living administration in such a manner as to constitute a danger to the health, safety, and well-being of the residents, staff, or public;
2. Failure to comply with federal, state, or local laws and regulations governing the operation of an assisted living facility;
3. Conviction of a felony or any misdemeanor involving abuse, neglect, or moral turpitude;
4. Violating or cooperating with others in violating any of the provisions of Chapters 1 (§ 54.1-100 et seq.), 24 (§ 54.1-2400 et seq.), and 31 (§ 54.1-3100 et seq.) of the Code of Virginia or regulations of the board;
5. Inability to practice with reasonable skill or safety by reason of illness or substance abuse or as a result of any mental or physical condition;
6. Abuse, negligent practice, or misappropriation of a resident's property;
7. Entering into a relationship with a resident that constitutes a professional boundary violation in which the administrator uses his professional position to take advantage of the vulnerability of a resident or his family, to include actions that result in personal gain at the expense of the resident, an inappropriate personal involvement with a resident, or sexual conduct with a resident;
8. The denial, revocation, suspension, or restriction of a license to practice in another state, the District of Columbia or a United States possession or territory;
9. Assuming duties and responsibilities within the practice of assisted living facility administration without adequate training or when competency has not been maintained;
10. Obtaining supplies, equipment, or drugs for personal or other unauthorized use;
11. Falsifying or otherwise altering resident or employer records, including falsely representing facts on a job application or other employment-related documents;
12. Fraud or deceit in procuring or attempting to procure a license or registration or seeking reinstatement of a license or registration; ~~or~~
13. Employing or assigning unqualified persons to perform functions that require a license, certificate, or registration;~~;~~
14. Engaging in a pattern of behavior or interaction in a health care setting that interferes with resident care or could reasonably be expected to adversely impact the quality of care and services rendered to a resident; or
15. The denial, revocation, suspension, surrender, or restriction of a license, certification, or registration to practice issued by a health regulatory board in the Commonwealth of Virginia.

**VIRGINIA BOARD OF LONG-TERM CARE ADMINISTRATORS****BYLAWS****ARTICLE I. GENERAL**

- A. The Virginia Board of Long-Term Care Administrators (Board) is established and operates pursuant to §§ 54.1-2400 et seq. and 54.1-3100 et seq. of the *Code of Virginia*. Regulations promulgated by the Board may be found in 18VAC95-11-10 et seq., “Public Participation Guidelines,” 18VAC95-15-10 et seq., “Regulations Governing Delegation to an Agency Subordinate,” 18VAC95-20-10 et seq., “Regulations Governing the Practice of Nursing Home Administrators,” and 18VAC95-30-10 et seq., “Regulations Governing the Practice of Assisted Living Facility Administrators.”
- B. The Board is charged with promulgating and enforcing laws and regulations governing the licensure and practice of nursing home administrators and assisted living facility administrators in the Commonwealth of Virginia. This includes, but is not limited to, setting fees, creating requirements for licenses and registrations, setting standards of practice, and implementing a system for disciplinary action.
- C. The mission of the Board and the Department of Health Professions is to ensure the delivery of safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to healthcare practitioners and the public.

**ARTICLE II. THE BOARD****A. Members and Duties**

- 1. The Board consists of nine members appointed by the Governor in accordance with Virginia Code § 54.1-3101.
- 2. Members of the Board are expected to attend all regular and special meetings of the full Board, meetings of committees to which they are assigned and all hearings conducted by the Board at which their attendance is requested by the Executive Director, unless prevented by illness or similar unavoidable cause. In the case of an unavoidable absence of any member from any meeting, the Chair may reassign the duties of such absent member.
- 3. In the event of two consecutive unexcused absences at any meeting of the Board or its committees, the Chair shall make a recommendation about the member’s continued service to the Director of the Department of Health Professions for referral to the Secretary of Health and Human Resources and Secretary of the Commonwealth.
- 4. Members shall not hold a voting office in any related state professional association within the Commonwealth of Virginia that takes a policy position on the laws or regulations of the Board. Members holding a voting office in a national professional association shall abstain from voting on issues where there may be a conflict of interest present. This section shall not apply to board members who hold a committee membership or an office with the National Association of Long Term Care Administrator Boards.

**B. Election of Officers**

1. The organizational year for the Board shall run from July 1<sup>st</sup> through June 30<sup>th</sup>.
2. At the first meeting of the organizational year, the Board shall elect from its members a Chair and a Vice-Chair.
3. The terms of office of the Chair and Vice-Chair shall be for one year. An officer may be re-elected in that same position for a second consecutive term.
4. Nominations for office shall be selected by voice vote, and election shall require a majority of the members present.
5. A vacancy occurring in any office shall be filled by a special election at the next meeting of the Board.

**C. Duties of Officers**

1. The Chair shall preside at all meetings;; shall appoint all committees and committee chairpersons except where specifically provided by law; shall sign certificates and documents authorized to be signed by the Chair; and may serve as an ex-officio member of committees.
2. The Vice-Chair shall perform all duties of the Chair in the absence of the Chair, and shall assume the duties of Chair in the event of an unexpired term.
3. In the absence of the Chair and Vice-Chair, the Chair shall appoint another board member to preside at the meeting and/or formal administrative hearing.

**ARTICLE III. MEETINGS**

- A. The Board shall schedule at least three regular meetings in each year, with the right to change the date or cancel any board meeting, with the exception that a minimum of one board meeting will take place annually. The Chair shall call meetings at any time to conduct the business of the Board and shall convene conference calls when needed to act on summary suspensions and settlement offers. Special meetings shall be called by the Chair upon the written request of any three members of the Board.
- B. Five members of the Board, including one who is not a licensed nursing home administrator or assisted living facility administrator, shall constitute a quorum.
- C. All matters shall be determined by a majority vote of the members present.

**ARTICLE IV. COMMITTEES****A. Standing Committees**

1. As part of their responsibility to the Board, members appointed to a committee shall faithfully perform the duties assigned to the committee. The standing committees of the Board shall be the following:

- a. Legislative and Regulatory Committee
  - b. Credentials Committee
  - c. Special Conference Committee
2. The Chair may appoint an Ad Hoc Committee of two or more members of the Board to address a topic not assigned to a standing committee.

## **B. Committee Duties**

### **1. Legislative/Regulatory Committee**

The Legislative/Regulatory Committee shall consist of two or more members, appointed by the Chair. This Committee shall:

- a. consider matters bearing upon state and federal regulations and legislation and make recommendations to the Board regarding policy matters;
- b. review public comment and recommend actions in response to petitions for rulemaking;
- c. conduct a periodic review of the laws and regulations as required by the Board's Public Participation Guidelines and any Executive Order of the Governor;
- d. develop proposals for new regulations or amendments to existing regulations;
- e. review or develop proposals for legislative initiatives of the Board; and
- f. review and recommend amendments to the Board's guidance and policy documents

In accordance with the Administrative Process Act, any proposed draft regulation and response to public comment shall be reviewed and approved by the full Board prior to publication. Proposed changes in Board laws or regulations, guidance or policy documents, shall be distributed to all Board members for review prior to scheduled meetings of the Board.

### **2. Credentials Committee**

The Credentials Committee shall consist of two or more members appointed by the Chair and shall review all non-routine applications for licensure to determine if the applicant satisfies the requirements established by the Board. The committee shall review requests for exemptions from continuing education and may grant such requests for circumstances beyond the control of the administrator on a one-time basis. The Committee shall not be required to meet collectively to complete initial reviews. The Committee chair shall provide guidance to staff on the action to be taken as a result of the initial review.

### **3. Special Conference Committee**

The Special Conference Committee shall consist of two or more members appointed by the Chair. The Committee shall hold informal fact-finding conferences pursuant to Virginia Code §§ 2.2-4019, 2.2-4021, and 54.1-2400 of the Code of Virginia and provide guidance to staff on the disposition of disciplinary cases. The Chair may designate additional board members to serve as alternates on this committee who may be contacted to serve in the event one of the standing committee members becomes ill or is unable to attend a scheduled conference date.

Further, should the caseload increase to the level that additional special conference committees are needed, the Chair may appoint additional committees.

## **ARTICLE V. EXECUTIVE DIRECTOR**

- A. The Administrative Officer of the Board shall be designated the Executive Director of the Board.
- B. The Executive Director shall:
  - 1. Supervise the operation of the Board office and be responsible for the conduct the staff and the assignment of cases to agency subordinates.
  - 2. Carry out the policies and services established by the Board.
  - 3. Provide and disburse all forms as required by law to include, but not be limited to, new and renewal application forms.
  - 4. Keep accurate record of all applications for licensure, maintain a file of all applications and notify each applicant regarding the actions of the Board in response to their application. Prepare and deliver licenses to all successful applicants. Keep and maintain a current record of all licenses issued by the Board.
  - 5. Notify all members of the Board of regular and special meetings of the Board. Notify all Committee members of regular and special meetings of Committees. Keep true and accurate minutes of all meetings and distribute such minutes to the Board members prior to the next meeting.
  - 6. Issue all notices and orders, render all reports, keep all records and notify all individuals as required by these Bylaws or law. Affix and attach the seal of the Board to such documents, papers, records, certificates and other instruments as may be directed by law.
  - 7. Keep accurate records of all disciplinary proceedings. Receive and certify all exhibits presented. Certify a complete record of all documents whenever and wherever required by law.
  - 8. Provide budget information to the Board for review on a periodic basis.

## **ARTICLE VI: GENERAL DELEGATION OF AUTHORITY**

### **A. Delegation to Executive Director and/or Board Staff**

- 1. The Board delegates to Board staff the authority to issue and renew licenses, registrations and certificates where minimum qualifications have been met.
- 2. The Board delegates to the Executive Director the authority to reinstate licenses, registrations and certificates when the reinstatement is due to the lapse of the license, registration or certificate and not due to previous Board disciplinary action, and there is no basis upon which the Board could refuse to reinstate.

3. The Board delegates to Board staff the authority to develop and approve any and all forms used in the daily operations of the Board business, to include, but not limited to, licensure applications, renewal forms, and documents used in the disciplinary process.
4. The Board delegates to the Executive Director the authority to sign as entered any agreement, Order or Board-approved Consent Order resulting from the disciplinary process.
5. The Board delegates to the Executive Director, who may consult with a special conference committee member, the authority to provide guidance to the agency's Enforcement Division in situations wherein a complaint is of questionable jurisdiction and an investigation may not be necessary or appropriate.
6. The Board delegates to the Executive Director, who shall consult with a member of the Board, the authority to review information regarding alleged violations of law or regulations and determine whether probable cause exists to proceed with possible disciplinary action.
7. The Board delegates to the Executive Director the authority to close non-jurisdictional cases without review by a board member.
8. The Board delegates to the Executive Director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being convened.
9. The Board delegates to the Executive Director the authority to approve applications with criminal convictions in accordance with the Board's policy, "Guidelines for Processing Applications for Licensure: Examination, Endorsement, and Reinstatement."
10. The Board delegates to the Executive Director the authority to grant an individual request for an extension of continuing education requirements for up to one (1) year for circumstances beyond the control of the administrator upon written request from the licensee prior to the renewal date.
11. The Board delegates to the Executive Director the authority to issue an Advisory Letter to the person who is the subject of a complaint pursuant to Virginia Code § 54.1-2400.2(G), when it is determined that a probable cause review indicates a disciplinary proceeding will not be instituted.
12. The Board delegates to the Executive Director the authority to offer a confidential consent agreement or a Consent Order for action consistent with any board-approved guidance document, or to negotiate a Consent Order in consultation with the chair of a Special Conference Committee or formal hearing.
13. The Board delegates to the Executive Director, who shall consult with the Board Chair, the authority to accept and to sign as entered any Consent Order for the surrender, suspension, or revocation of a license to end a pending disciplinary matter.
14. The Board delegates to the Executive Director the authority to assign the determination of probable cause to the Board's contracted expert case reviewers, who may consult with Board staff and make recommendations to the Board Chair or to the Special Conference Committee regarding case disposition.

15. The Board authorizes the Executive Director to delegate tasks to the Deputy Executive Director.

**B. Delegation to Board Chair**

The Board delegates to the Chair, the authority to represent the Board in instances where Board “consultation” or “review” may be requested where a vote of the Board is not required and a meeting is not feasible.

**C. Delegation to Agency Subordinate**

The Board may delegate an informal fact-finding proceeding to an agency subordinate in accordance with 18VAC95-15-10 of the Board’s Regulations Governing Delegation to an Agency Subordinate.

**ARTICLE VIII. AMENDMENTS**

A board member or the Executive Director may propose amendments to these Bylaws by presenting the amendment in writing to all Board members, the Executive Director of the Board, and the Board’s legal counsel prior to any regularly scheduled meeting of the Board. Amendments to the bylaws shall become effective with a favorable vote of the majority of the board members present at said meeting.

Adopted:

## **Virginia Board of Long-Term Care Administrators**

### **Board Policy on Processing Requests for Additional Examination Attempts with the National Association of Long Term Care Administrator Boards (NAB)**

The National Association of Long Term Care Administrator Boards (NAB) owns and administers the national licensure examinations for administrators in the long-term care setting referred to as the CORE of Knowledge (CORE), Nursing Home Administrator (NHA), and Residential Care/Assisted Living (RCAL) exams.

Effective January 1, 2026, NAB has established limits for the number of times a candidate may attempt each examination during an examination cycle (July 1- June 30). Specifically, for the CORE, NHA, and RCAL examinations, there is a four (4) attempt limit per exam cycle. The attempt count resets each July 1<sup>st</sup>.

Where an exam candidate is ineligible to retake the CORE, NHA, or RCAL examinations due to reaching the attempt limit during the exam cycle, the candidate may present information to the relevant licensing authority that may then approve and transmit an additional attempt request to NAB on the candidate's behalf.

The Board will approve the candidate's request for an additional exam attempt within the exam cycle for transmittal to NAB pursuant to the guidelines below.

- The candidate seeking an additional exam attempt has an active licensure application on file with the Board has registered for prior attempts at NAB exams as a Virginia applicant. The Board will not consider the submission of an exam attempt request from exam candidates who have never previously applied to Virginia for licensure.
- The candidate has not had any disciplinary taken against them by a state board or by the NAB.
- The candidate has otherwise met the requirements for licensure in Virginia with the exception of passage of the NAB exam(s).
- The candidate (1) details the efforts they have made to remediate past NAB exam performance issues and to prepare for one additional attempt at taking the NAB exam(s); and (2) provides sufficient cause for requesting an additional examination attempt prior to the end of the exam cycle, at which time exam attempts reset.
- The request for an additional exam attempt is received more than 30 days after a prior exam attempt and more than 90 days from the end of the exam cycle (June 30<sup>th</sup>).
- The candidate has not submitted a prior request to the Board for an additional exam attempt.