

Proposed Rule
LSA Document #08-216

DIGEST

Amends [840 IAC 1-1-2](#) through [840 IAC 1-1-6](#), [840 IAC 1-1-11](#), [840 IAC 1-1-12](#), [840 IAC 1-1-14](#), [840 IAC 1-1-15](#), [840 IAC 1-1-16](#), [840 IAC 1-1-17](#), [840 IAC 1-1-18](#), [840 IAC 1-2-1](#), [840 IAC 1-2-2](#), [840 IAC 1-2-5](#), [840 IAC 1-2-6](#), [840 IAC 1-2-7](#), and [840 IAC 2-1-1](#) through [840 IAC 2-1-7](#) to implement rule changes based on Senate Enrolled Act 333 (P.L.54-2007), including establishing definitions, licensure and examination requirements, continuing education requirements for renewal of license, and standards of competent practice for comprehensive health care facility administrators and residential health care administrators. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[840 IAC 1-1-2](#); [840 IAC 1-1-3](#); [840 IAC 1-1-4](#); [840 IAC 1-1-5](#); [840 IAC 1-1-6](#); [840 IAC 1-1-11](#); [840 IAC 1-1-12](#); [840 IAC 1-1-14](#); [840 IAC 1-1-15](#); [840 IAC 1-1-16](#); [840 IAC 1-1-17](#); [840 IAC 1-1-18](#); [840 IAC 1-2-1](#); [840 IAC 1-2-2](#); [840 IAC 1-2-5](#); [840 IAC 1-2-6](#); [840 IAC 1-2-7](#); [840 IAC 2-1-1](#); [840 IAC 2-1-2](#); [840 IAC 2-1-3](#); [840 IAC 2-1-4](#); [840 IAC 2-1-5](#); [840 IAC 2-1-6](#); [840 IAC 2-1-7](#)

SECTION 1. [840 IAC 1-1-2](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-2](#) Definitions

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1-2](#)

Sec. 2. Whenever used in this rule, unless expressly otherwise stated, or unless the context or subject matter requires a different meaning, the following terms apply throughout this rule:

(1) "H.F." means health facility.

(2) "Practice of health facility administration" means the practice of the person designated by legal owner(s) of health facilities to perform any act or the making of any decision involved in the planning, organizing, developing, directing, and/or control of the operation of an H.F.

(3) "H.F.A." means health facility administrator.

(4) "Preceptor" means a duly licensed H.F.A. who has been approved by the board under section 17(a) of this rule to serve in a teaching role who has the training, knowledge, professional activity, and a facility or organizational setting at their disposal to participate actively in the developing and refining of prospective H.F.A.s. This individual shall meet any and all criteria that may be established by the board.

(5) (1) "Administrator-in-training" or "AIT" means a person who:

(A) has registered with the board prior to commencing internship; and ~~who~~

(B) desires to become involved in a program of professional health care training.

No person shall serve or act as an AIT without being registered with the board and shall meet any and all criteria that may be established by the board.

(6) (2) "AIT program" means an internship of a continuous educational experience in an HF approved by the board, such program to be administered under the supervision of a preceptor.

(3) "HF" means a licensed health facility or licensed residential facility.

(4) "HFA" means health facility administrator.

(5) "HFA license" means a license issued under [IC 25-19](#) that grants authority to administer a licensed residential facility or a licensed health facility.

(7) (6) "Person" means a natural individual and does not include the terms following:

(A) A firm.

(B) A corporation.

(C) An association.

(D) A partnership.

(E) An institution.

(F) A public body.

(G) A joint stock association. or

(H) Any other group of individuals.

(7) "Practice of health facility administration" means the practice of the person designated by a legal owner or owners of health facilities to perform any act or the making of any decision involved in the:

- (A) planning;
- (B) organizing;
- (C) developing;
- (D) directing; or
- (E) control;

of the operation of an HF.

(8) "Preceptor" means a duly licensed HFA or RCA who:

- (A) has been approved by the board under section 17 of this rule to serve in a teaching role; and
- (B) has the training, knowledge, professional activity, and a facility or organizational setting at his or her disposal to participate actively in the developing and refining of prospective HFAs or RCAs.

This individual shall meet any and all criteria that may be established by the board.

(9) "RCA" means residential care administrator.

~~(8) "Residential (10) "RCA license" shall be one granting authority to administer an H.F., a licensed as a residential facility.~~

~~(9) "Comprehensive license" shall be one granting authority to administer any or all categories of health facilities.~~

~~(10) "Related health care administration" is defined as~~ **means** administration practiced in one (1) or more health related institutions. However, ~~health care administration~~ **the term** shall not mean **any of the following:**

- (A) The administration of services to an individual.
- (B) Administrative services ~~which that~~ do not have as a major component the supervision of more than one (1) profession or discipline. ~~or~~
- (C) An administrative position in which the individual:
 - (i) has not assumed direct responsibility for; and
 - (ii) is not held accountable for;his **or her** own acts.

(Indiana State Board of Health Facility Administrators; Rule 3; filed May 26, 1978, 9:09 a.m.: 1 IR 243; filed May 18, 1979, 9:02 a.m.: 2 IR 842; filed May 2, 1985, 10:33 a.m.: 8 IR 1146; filed Sep 29, 1987, 2:08 p.m.: 11 IR 792; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2855)

SECTION 2. [840 IAC 1-1-3](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-3](#) License required; use of title and HFA and RCA initials

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1-5](#); [IC 25-19-1-11](#)

Sec. 3. (a) No HF in this state may operate unless it is under the supervision of an HFA who holds a current valid HFA license issued by the board under this rule, **except that a licensed residential care facility may be administered by an RCA.**

(b) No person shall practice or offer to practice HF administration in this state or use any title, sign, card, or device to indicate that he **or she** is an HFA **or RCA** unless ~~such~~ **the** person shall have been duly licensed as an HFA **or RCA** pursuant to the laws of this state and the rules of this board lawfully promulgated.

(c) A person, not licensed as an HFA **or RCA**, shall not use the title "Assistant HF Administrator" **or "Assistant RC Administrator"**, inasmuch as the employment of this title constitutes a fraudulent inducement to the public to rely on the expertise implied by the term "administrator" and is in violation of Indiana law. The designations "assistant-to-the-administrator" and "administrative assistant" can:

- (1) serve the same purpose; and
- (2) be in compliance with the law.

(d) A person licensed as an HFA in Indiana may use the initials HFA after the name. **A person licensed as an RCA in Indiana may use the initials RCA after the name.**

(Indiana State Board of Health Facility Administrators; Rule 4; filed May 26, 1978, 9:09 a.m.: 1 IR 244; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2855)

SECTION 3. [840 IAC 1-1-4](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-4](#) Qualifications for licensure

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1-3](#)

Sec. 4. (a) All applicants for licensure as an HFA must have completed, at the time of application, the requirements of [IC 25-19-1-3](#)(a)(1) and any of the following educational attainments and administrator-in-training programs:

- (1) Possession of a baccalaureate or higher degree from an accredited institution of higher learning approved by the board and completion of a required administrator-in-training program **for the type of licensure pursued.**
- (2) Possession of an associate degree in health care from an accredited institution of higher learning approved by the board, completion of a specialized course of study in long-term health care administration approved by the board, and completion of a required administrator-in-training program **for the type of licensure pursued.**
- (3) Completion of a specialized course of study in long-term health care administration prescribed by the board and completion of a required ~~six (6) month~~ administrator-in-training program **for the type of licensure pursued.**

(b) Applicants for licensure by endorsement as an HFA may request that the board consider previous experience to satisfy the requirements of subsection (a). Educational and AIT requirements may be satisfied by two (2) years of active work experience as a licensed health facility administrator **HFA** in another state. Evidence must be presented to the board demonstrating competency of practice.

(c) Applicants for licensure as an HFA may request that the board consider previous experience to satisfy the AIT requirements of subsection (a). AIT requirements may be satisfied by **any of the following:**

- (1) One (1) year of active work experience as a licensed HFA.
- (2) Completion of a training program required for licensure as an HFA in another state that is determined by the board to be equivalent to the AIT requirements of this state.
- (3) Completion of a residency-internship in health care administration completed as part of a degree requirement of subsection (a)(1) and (a)(2) that is determined by the board to be equivalent to the AIT requirements of this state.
- (4) One (1) year of active work experience as a chief executive officer or chief operations officer in a hospital.
or
- (5) A master's degree in health care administration and six (6) months of active work experience as a licensed HFA in another state.

(d) All applicants for licensure as an RCA must have completed, at the time of application, the requirements of [IC 25-19-1-3](#)(a)(1) and at least one (1) of the following educational attainments and administrator-in-training programs:

- (1) Possession of a baccalaureate or higher degree from an accredited institution of higher learning approved by the board and completion of a required administrator-in-training program for the type of licensure pursued.
- (2) Possession of an associate degree in health care from an accredited institution of higher learning approved by the board, completion of a specialized course of study in long-term health care administration approved by the board, and completion of a required administrator-in-training program for the type of licensure pursued.
- (3) Completion of a specialized course of study prescribed by the board and completion of a required administrator-in-training program for the type of licensure pursued.

(e) Applicants for licensure by endorsement as an RCA may request that the board consider previous experience to satisfy the requirements of subsection (d). Educational and AIT requirements may be satisfied by two (2) years of active work experience as a licensed residential care administrator in another state. Evidence must be presented to the board demonstrating competency of practice.

(f) Applicants for licensure as an RCA may request that the board consider previous experience to

satisfy the AIT requirements of subsection (d). AIT requirements may be satisfied by any of the following:

- (1) One (1) year of active work experience as a licensed RCA.
- (2) Completion of a training program required for licensure as an RCA in another state that is determined by the board to be equivalent to the AIT requirements of this state.
- (3) Completion of a residency-internship in health care administration completed as part of a degree requirement of subsection (d)(1) and (d)(2) that is determined by the board to be equivalent to the AIT requirements of this state.
- (4) One (1) year of active work experience as a chief executive officer or chief operations officer in a hospital.
- (5) A master's degree in health care administration and six (6) months of active work experience as a licensed RCA in another state.

(g) The board may waive portions of the required training hours, up to thirty percent (30%), for an HFA or RCA applicant, based upon criteria approved by the board, provided the applicant's experience under consideration is verifiable to the board's satisfaction.

(Indiana State Board of Health Facility Administrators; Rule 5; filed May 26, 1978, 9:09 a.m.: 1 IR 244; filed May 2, 1985, 10:33 a.m.: 8 IR 1147; filed Sep 29, 1987, 2:08 p.m.: 11 IR 793; filed Dec 22, 1987, 2:36 p.m.: 11 IR 1604; errata filed Mar 25, 1991, 4:40 p.m.: 14 IR 1626; errata filed Jul 8, 1991, 5:00 p.m.: 14 IR 2066; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2856; filed Jan 24, 2003, 1:55 p.m.: 26 IR 1943)

SECTION 4. [840 IAC 1-1-5](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-5](#) Application for license; interview

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1-3](#); [IC 25-19-1-5](#)

Sec. 5. (a) An applicant for licensure as an HFA **or** RCA shall:

- (1) make application for licensure in writing on forms provided by the board; and
- (2) furnish evidence satisfactory to the board that the qualifying requirements have been met as provided for in the state licensing statutes and section 4 of this rule.

(b) The board may designate a time and place at which an applicant may be required to appear for an interview at the discretion of the board.

(Indiana State Board of Health Facility Administrators; Rule 6; filed May 26, 1978, 9:09 a.m.: 1 IR 245; filed May 2, 1985, 10:33 a.m.: 8 IR 1148; filed Sep 29, 1987, 2:08 p.m.: 11 IR 794; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2856)

SECTION 5. [840 IAC 1-1-6](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-6](#) Examination

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1-3](#)

Sec. 6. (a) Every applicant for a license as an HFA **or** RCA, after meeting the requirements for qualification as set forth in section 4 of this rule, shall pass successfully a written or oral examination, or both, at the discretion of the board that shall include, but need not be limited to, the following:

- (1) Applicable standards of environmental health and safety.
- (2) Local health and safety regulation.
- (3) General administration.
- (4) Psychology of patient care.
- (5) Principles of medical care.
- (6) Pharmaceutical services and drug handling.
- (7) Personal and social care.

- (8) Therapeutic and supportive care and services in long-term care.
- (9) Departmental organization and management.
- (10) Community interrelationships.

(b) Every applicant for an HFA or RCA license shall be required to pass the examination for the license with a grade established by the board in accordance with methods and procedures set up by the board.

(c) All applications for the examination must be complete in every respect, including accompanying data and the required fee, at least thirty (30) days before the examination for which application is being made. Any applicant whose application does not meet these requirements will not be permitted to take the examination.

(d) An applicant who does not pass the ~~nursing home administrators~~ licensing examination in the first attempt shall be entitled to take it two (2) additional times. However, an applicant must successfully pass the licensure examination within one (1) calendar year from the date of sitting for the exam.

(e) If an applicant exhausts all of the examination attempts within the one (1) year allowed under subsection (d), the applicant shall **appear before the board and may be required to** submit the following:

- (1) Proof of the completion of at least two hundred (200) contact hours of continuing education approved by the board.
- (2) A new application for entry into the administrator-in-training program.
- (3) ~~Upon~~ **Proof of** completion of the required administrator-in-training program. ~~in a minimum of six (6) months and a maximum of twelve (12) months for a minimum total of one thousand forty (1,040) hours and submit an affidavit of completion of the A.I.T. program.~~

In addition, the applicant shall meet all other licensing requirements in force and effect at the time of reapplication.

(Indiana State Board of Health Facility Administrators; Rule 7; filed May 26, 1978, 9:09 a.m.: 1 IR 246; filed May 18, 1979, 9:02 a.m.: 2 IR 842; filed May 2, 1985, 10:33 a.m.: 8 IR 1148; filed Sep 29, 1987, 2:08 p.m.: 11 IR 794; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2857; filed Feb 6, 2004, 9:15 a.m.: 27 IR 1880; filed Jul 9, 2007, 8:58 a.m.: [20070808-IR-840060513FRA](#))

SECTION 6. [840 IAC 1-1-11](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-11](#) Display of license

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1](#)

Sec. 11. Every individual licensed as a **an HFA or RCA** shall display ~~the H.F.A.'s~~ **his or her** current license in a prominent location in that individual's principal office.

(Indiana State Board of Health Facility Administrators; Rule 12; filed May 26, 1978, 9:09 a.m.: 1 IR 247; filed Sep 29, 1987, 2:08 p.m.: 11 IR 795; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2857)

SECTION 7. [840 IAC 1-1-12](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-12](#) Duplicate licenses

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1](#)

Sec. 12. **(a)** Upon receipt of satisfactory evidence that a license has been lost, stolen, mutilated, or destroyed, the board may issue a duplicate license upon:

- (1)** compliance with conditions as the board may prescribe; and
- (2)** payment of a fee as determined by the board.

(b) A practitioner may hold both an HFA and RCA license provided that all requirements of this rule are

met, including separate applications to be submitted with the appropriate fees for each license application and renewal.

(Indiana State Board of Health Facility Administrators; Rule 13; filed May 26, 1978, 9:09 a.m.: 1 IR 247; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2857)

SECTION 8. [840 IAC 1-1-14](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-14](#) Provisional licenses

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1-3](#)

Sec. 14. (a) An individual may be issued a provisional administrator's HFA license for a specific licensed health facility if the individual has:

- (1) at least two (2) years of administrative experience in a licensed HF; and has
- (2) complied with the conditions of [IC 25-19-1-3\(a\)\(1\)](#).

(b) An individual may be issued a provisional RCA license for a specific licensed residential facility if the individual has:

- (1) at least two (2) years of administrative experience in a licensed HF; and
- (2) complied with the conditions of [IC 25-19-1-3\(a\)\(1\)](#).

~~(b)~~ (c) Under ~~subsection~~ **subsections (a) and (b)**, the director of the board may issue a provisional license to an individual who appears to be qualified; however, this license will be subject to the approval of the board at its next following meeting, at which time the board may withdraw the provisional license if it determines that the licensee fails to meet all applicable qualifications for ~~said~~ **the** license.

~~(c)~~ Experienced **(d) Experience** gained under provisional licensure shall not satisfy the educational or AIT requirements of section 4(a) **or 4(d)** of this rule.

(Indiana State Board of Health Facility Administrators; Rule 15; filed May 18, 1979, 9:02 a.m.: 2 IR 841; filed Sep 29, 1987, 2:08 p.m.: 11 IR 795; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2858)

SECTION 9. [840 IAC 1-1-15](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-15](#) Program for administrator-in-training

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1-3](#); [IC 25-19-1-8](#)

Sec. 15. ~~The~~ **(a) An AIT seeking licensure as an HFA** shall satisfactorily complete a course of instruction and training prescribed by the board that occurs in a **licensed** comprehensive care facility and that shall include, but not be limited to, ~~personnel, insurance, law, Medicare/Medicaid, accounting, maintenance, and physical plant, health and safety regulations, public and labor relations, patient activities, volunteer organization, dental care, pastoral care, general management, medical records, nursing services, food service, therapies and aspects of aging, corporate compliance, social services, ethical conduct, abuse prohibition, standards of competent practice, information systems, laundry, and housekeeping.~~ **the following:**

- (1) **Standards of competent practice.**
- (2) **Administration.**
- (3) **Housekeeping/laundry.**
- (4) **Facility management.**
- (5) **Nursing.**
- (6) **Dietary.**
- (7) **Activities.**
- (8) **Business office.**
- (9) **Admissions/marketing.**

(10) Overall facility management.

(b) An AIT seeking licensure as an RCA shall satisfactorily complete a course of instruction and training prescribed by the board that occurs in a licensed residential care facility and that shall include, but not be limited to, the following:

- (1) Standards of competent practice.**
- (2) Administration.**
- (3) Housekeeping/laundry.**
- (4) Facility management.**
- (5) Nursing.**
- (6) Dietary.**
- (7) Activities.**
- (8) Business office.**
- (9) Admissions/marketing.**
- (10) Overall facility management.**

(c) The AIT seeking licensure as an RCA is required to complete not less than eighty (80) hours of the training program in a licensed comprehensive care facility in order to complete training in the following areas:

- (1) Medicare/Medicaid regulations and implementation thereof.**
- (2) Health comprehensive care organization and coordination of services.**
- (3) Assessments and care plans.**
- (4) Any other areas approved by the board.**

(Indiana State Board of Health Facility Administrators; Rule 16; filed May 18, 1979, 9:02 a.m.: 2 IR 841; filed Sep 12, 1985, 3:25 p.m.: 9 IR 285; filed Sep 29, 1987, 2:08 p.m.: 11 IR 795; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2858)

SECTION 10. [840 IAC 1-1-16](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-16](#) Qualifications and duties of administrator-in-training

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1-3](#); [IC 25-19-1-8](#)

Sec. 16. (a) The AIT **seeking licensure as an HFA or RCA** shall:

- (1) file an AIT application with the board and be approved prior to starting the internship program; and
- (2) have met the requirements of [IC 25-19-1-3](#)(a)(1) and the educational attainments of section 4(a) of this rule at the time the application is filed.

(b) The AIT **seeking licensure as an HFA** shall:

- (1) observe and become familiar with the responsibilities and duties of the preceptor and AIT;
- (2) be assigned responsibilities in each department, with experience on every shift, including weekends;
- (3) not hold a position in the facility during the hours of the AIT program;
- (4) serve as an AIT a minimum of ~~thirty-two (32)~~ **twenty (20)** hours per week, but ~~no~~ **not** more than ~~eight (8)~~ **ten (10)** hours daily;
- (5) complete the program in a minimum of six (6) months and a maximum of twelve (12) months for a minimum total of one thousand forty (1,040) hours;
- (6) seek and accept instruction and assistance from ~~the~~ preceptor;
- (7) notify the board on suitable forms of any change of status or discontinuance of the AIT program; and
- (8) forward to the board at the end of the AIT program an affidavit stating the requirements of the program have been fulfilled.

(c) The AIT **seeking licensure as an RCA** shall:

- (1) observe and become familiar with the responsibilities and duties of the preceptor and AIT;**
- (2) be assigned responsibilities in each department, with experience on every shift, including weekends;**
- (3) not hold a position in the facility during the hours of the AIT program;**

- (4) serve as an AIT a minimum of twenty (20) hours per week, but not more than ten (10) hours daily;
- (5) complete the program in a minimum of six (6) months and a maximum of twelve (12) months for a minimum total of eight hundred sixty (860) hours;
- (6) seek and accept instruction and assistance from the preceptor;
- (7) notify the board on suitable forms of any change of status or discontinuance of the AIT program; and
- (8) forward to the board at the end of the AIT program an affidavit stating the requirements of the program have been fulfilled.

~~(e)~~ (d) The AIT may serve up to ~~four (4)~~ weeks **twenty percent (20%)** of the internship in a setting other than the preceptor's facility.

~~(d)~~ (e) The board reserves the right to take appropriate action for failure of an AIT to comply with the duties enumerated above.

(f) The hours and amount of time spent in the AIT program may be reduced due to credit given by the board under section 4(g) of this rule.

(Indiana State Board of Health Facility Administrators; Rule 17; filed May 18, 1979, 9:02 a.m.: 2 IR 840; filed Sep 12, 1985, 3:25 p.m.: 9 IR 285; filed Sep 29, 1987, 2:08 p.m.: 11 IR 796; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2858)

SECTION 11. [840 IAC 1-1-17](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-17](#) Qualifications and duties of preceptors

Authority: [IC 25-19-1-8](#)

Affected: [IC 25-19-1-12](#)

Sec. 17. (a) The applicant for approval as a preceptor shall file a new application for each AIT applicant for whom the preceptor applicant desires to serve as a preceptor.

(b) In order to qualify as a preceptor, the applicant:

(1) shall:

~~(1)~~ (A) be a currently licensed Indiana:

(i) **HFA to precept an applicant seeking licensure as an HFA or RCA; or**

(ii) **RCA to precept an applicant seeking licensure as an RCA;**

~~(2)~~ (B) file an application with the board and be approved prior to serving as the preceptor; **and**

~~(3)~~ (C) have attended, within the five (5) years prior to applying to serve as a preceptor, a board approved educational program and forward to the board a certificate of completion;

(2) must:

~~(4)~~ (A) have active work experience as an HFA **or RCA** for at least two (2) out of the immediate preceding three (3) years prior to the date of application; ~~and~~

(B) **be a current CEO of a continuing care retirement community who holds a current valid HFA license; or**

(C) **be a current regional manager for a multifacility organization who holds a current valid HFA license or RCA and who affirms to the board that his or her physical presence at the training location is concurrent with at least sixty percent (60%) of the applicant's physical presence at the training location; and**

~~(5)~~ (3) **shall** not have any disciplinary action taken by the board against **his or her HFA or RCA** license in the last two (2) years.

(c) Each approved preceptor shall:

(1) act as a teacher rather than an employer and should provide the AIT with educational opportunities;

(2) inform the board if the AIT presents any problems that may affect the facility's service and operation or the AIT's program;

(3) notify the board on suitable forms of any change of status or discontinuance of the AIT program;

(4) submit to the board at the completion of the program an affidavit, as prescribed by the board, stating that

the requirements of the AIT/preceptor program as stated in section 15 of this rule have been met;
(5) ensure that the records of AIT programs are maintained for a period of five (5) years, during which time the board may request review of these records; and
(6) spend a majority of the required work hours during normal daytime business hours in the facility where training is to occur, except as deemed necessary to accommodate special situations or emergencies.

(d) The board reserves the right to take appropriate action for failure of a preceptor to comply with the duties enumerated above.

(e) A preceptor may not supervise more than one (1) AIT at any given time, except at the discretion of the board.

(f) The preceptor approval expires when the AIT applicant completes the course of instruction and training prescribed by the board or fails to complete the requirements of section 16 of this rule.

(Indiana State Board of Health Facility Administrators; Rule 18; filed May 18, 1979, 9:02 a.m.: 2 IR 843; filed Dec 31, 1981, 8:55 a.m.: 5 IR 398; filed Sep 12, 1985, 3:25 p.m.: 9 IR 286; filed Sep 29, 1987, 2:08 p.m.: 11 IR 796; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2859)

SECTION 12. [840 IAC 1-1-18](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-1-18](#) Temporary permits

Authority: [IC 25-19-1-3.5](#); [IC 25-19-1-8](#)

Affected: [IC 25-19-1-3.5](#)

Sec. 18. Persons holding a valid HFA **or** RCA license in another state who seek licensure by endorsement in Indiana may be granted a temporary permit. Applicants for a temporary permit will be required to take the Indiana jurisprudence examination for licensure within ninety (90) days of its issuance. In addition to the provisions of [IC 25-19-1-3.5](#), temporary permits of applicants who fail to appear for the scheduled examination will be invalidated. If the applicant presents compelling reasons to the board in writing for missing the scheduled examination, the board may allow the applicant to submit a new application for temporary permit.

(Indiana State Board of Health Facility Administrators; [840 IAC 1-1-18](#); filed Dec 22, 1987, 2:37 p.m.: 11 IR 1603; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2859)

SECTION 13. [840 IAC 1-2-1](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-2-1](#) Continuing education; credit requirements

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-1-4-0.2](#); [IC 25-19-1](#)

Sec. 1. (a) An HFA **or** RCA who is not currently or previously licensed in another state is not required to complete the continuing education requirements for the two (2) year licensing period in which the license was issued.

(b) An HFA **or** RCA must complete at least forty (40) continuing education hours during the previous two (2) year licensing period.

(c) If an HFA **or** RCA attends an approved program in another state with a mandatory continuing education requirement, the board will accept the approved hours.

(d) Continuing education credit may not be carried over from one (1) biennial licensure renewal period to another.

(e) The forty (40) hours biennial continuing education requirement shall not be increased or decreased unless this section is duly amended and all licensees are notified in writing at the date of license renewal that the following renewal will require an increased or decreased number of hours of continuing education.

(f) The continuing education requirement shall be satisfied by participating in programs that must be offered by approved organizations as defined under [IC 25-1-4-0.2](#).

(g) If the licensee holds both an HFA and an RCA license, only forty (40) hours of continuing education is required for renewal of both licenses. The requirement of continuing education having been met for one (1) license will have the effect of meeting the requirements for the other license.

~~(g)~~ **(h)** Continuing education courses offered by accredited colleges are acceptable if the course content pertains to the practice of HF administration.

~~(h)~~ **(i)** Accredited college courses related to the practice of HF administration are acceptable forms of continuing education. The following conversion will be used for continuing education credit:

- (1) One (1) semester hour equals fifteen (15) contact hours.
- (2) One (1) quarter hour equals ten (10) contact hours.

~~(i)~~ **(j)** Service on the Indiana state board of health facility administrators earns one (1) continuing education hour for each hour of service.

~~(j)~~ **(k)** A maximum of twenty (20) continuing education hours may be obtained through subsections ~~(h)~~ and (i) and (j).

(Indiana State Board of Health Facility Administrators; [840 IAC 1-2-1](#); filed Jan 5, 1984, 2:33 p.m.: 7 IR 577; filed Sep 29, 1987, 2:08 p.m.: 11 IR 797; filed Feb 14, 1991, 1:30 p.m.: 14 IR 1438; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2859; filed Feb 6, 2004, 9:15 a.m.: 27 IR 1881; filed Jun 5, 2008, 11:28 a.m.: [20080702-IR-840070825FRA](#))

SECTION 14. [840 IAC 1-2-2](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 1-2-2](#) Verification of attendance

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-1-4](#); [IC 25-19-1](#)

Sec. 2. (a) The HFA or RCA shall:

- (1) retain copies of certificates of completion for continuing education courses for three (3) years from the end of the licensing period for which the continuing education applied; and
- (2) provide the board with copies of the certificates of completion upon the board's request for a compliance audit.

(b) Approved continuing education sponsors must retain the attendance records for a period of five (5) years, during which time the board may request review of these records.

(c) Continuing education audits and actions regarding noncompliance will be conducted as provided for in [IC 25-1-4-3](#) and [IC 25-1-4-5](#) through [IC 25-1-4-7](#). [IC 25-1-4](#).

(Indiana State Board of Health Facility Administrators; [840 IAC 1-2-2](#); filed Jan 5, 1984, 2:33 p.m.: 7 IR 577; filed Feb 14, 1991, 1:30 p.m.: 14 IR 1439; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2860; filed Jun 5, 2008, 11:28 a.m.: [20080702-IR-840070825FRA](#))

SECTION 15. [840 IAC 1-2-5](#) IS AMENDED TO READ AS FOLLOWS:

840 IAC 1-2-5 Exemptions

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1](#)

Sec. 5. Licensees who fail to comply with ~~this rule~~ **the continuing education requirements of the board** shall not be issued a renewal license, except for the following exemptions:

- (1) An HFA **or** RCA who holds a valid license, but submits a statement from a physician or surgeon stating that the licensee is unable to practice due to illness or physical disability.
- (2) An HFA **or** RCA on active military duty.
- (3) Other circumstances determined by the board.**

(Indiana State Board of Health Facility Administrators; [840 IAC 1-2-5](#); filed Jan 5, 1984, 2:33 p.m.: 7 IR 578; filed Sep 29, 1987, 2:08 p.m.: 11 IR 797; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2861)

SECTION 16. [840 IAC 1-2-6](#) IS AMENDED TO READ AS FOLLOWS:

840 IAC 1-2-6 Persons exempt from fee

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1](#)

Sec. 6. (a) The ~~Indiana state board of HFA~~ shall exempt the following from payment of a fee for continuing education sponsorship:

- (1) Any state or federal agency.
- (2) Any state funded school.

(b) Exemption from payment of a fee for continuing education sponsorship does not relieve the sponsor of any other requirements or duties prescribed by law.

(Indiana State Board of Health Facility Administrators; [840 IAC 1-2-6](#); filed May 2, 1985, 10:33 a.m.: 8 IR 1150; filed Sep 29, 1987, 2:08 p.m.: 11 IR 797; filed Feb 14, 1991, 1:30 p.m.: 14 IR 1439; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2861)

SECTION 17. [840 IAC 1-2-7](#) IS AMENDED TO READ AS FOLLOWS:

840 IAC 1-2-7 Administrator-in-training program; preceptor experience credit

Authority: [IC 25-19-1-4](#)

Affected: [IC 25-19-1-3](#); [IC 25-19-1-8](#)

Sec. 7. Two (2) credit hours of continuing education will be granted for each complete month an HFA **or** RCA has served as preceptor for an approved AIT program. **Not more than twenty (20) hours per renewal cycle may be earned using this method.**

(Indiana State Board of Health Facility Administrators; [840 IAC 1-2-7](#); filed Sep 12, 1985, 3:25 p.m.: 9 IR 286; filed Sep 29, 1987, 2:08 p.m.: 11 IR 798; readopted filed May 1, 2002, 10:35 a.m.: 25 IR 2861)

SECTION 18. [840 IAC 2-1-1](#) IS AMENDED TO READ AS FOLLOWS:

840 IAC 2-1-1 Statement of policy regarding the practice of health facility administration

Authority: [IC 25-19-1-8](#)

Affected: [IC 25-19-1-7](#)

Sec. 1. The ~~health facility administrator~~ **HFA or RCA** is expected to:

- (1) exercise ethical and sound decision making and judgment;
- (2) assume leadership in his or her facility; and
- (3) exemplify an administrative philosophy congruent with the mission and goals of the organization.

(Indiana State Board of Health Facility Administrators; [840 IAC 2-1-1](#); filed Feb 1, 1999, 10:52 a.m.: 22 IR 2004; readopted filed Jun 13, 2005, 2:00 p.m.: 28 IR 3353)

SECTION 19. [840 IAC 2-1-2](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 2-1-2](#) Organizational management

Authority: [IC 25-19-1-8](#)

Affected: [IC 25-19-1-7](#)

Sec. 2. With regard to organizational management, the ~~health facility administrator~~ **HFA or RCA** shall comply with the following:

- (1) Not engage in fraudulent, misleading, or deceptive advertising in either form or content.
- (2) Not practice health facility administration unless the person holds a license, as required in [840 IAC 1-1-3](#), with such license at the time of practice not having a status of suspended, delinquent, or expired. An individual may not:
 - (A) allow another person to present his or her license as their own; ~~and may not or~~
 - (B) present as his or her own the license of another individual.
- (3) Not:
 - (A) make or file a report or record that the licensee knows to be false;
 - (B) fail to file a report or record required by federal or state law;
 - (C) impede or obstruct ~~such the~~ filing; or
 - (D) induce another person to impede or obstruct ~~such the~~ filing.
- (4) Set in place a functional table of organization with standards of accountability and hold department heads accountable for the performance of their respective departments.
- (5) Review and consider for possible implementation, reports from various sources to maintain or improve resident care and quality of life.
- (6) Not practice health facility administration in more than one (1) health facility simultaneously.

(Indiana State Board of Health Facility Administrators; [840 IAC 2-1-2](#); filed Feb 1, 1999, 10:52 a.m.: 22 IR 2004; readopted filed Jun 13, 2005, 2:00 p.m.: 28 IR 3353)

SECTION 20. [840 IAC 2-1-3](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 2-1-3](#) Resident care

Authority: [IC 25-19-1-8](#)

Affected: [IC 25-19-1-7](#)

Sec. 3. With regard to resident care, the ~~health facility administrator~~ **HFA or RCA** shall develop and administer resident centered policies that do the following:

- (1) Ensure the:
 - (A) health;
 - (B) safety;
 - (C) welfare; and
 - (D) rights;of the residents.
- (2) Govern continuing care, related medical, and other services provided by the facility to provide the highest practicable mental, physical, and psychosocial well-being for each resident in a healthy, safe, and home-like environment.
- (3) Evaluate the quality of resident care, residents' rights, and quality of life. Identify strengths and weaknesses and set in place measures for the improvement where necessary, evaluate progress, and institute appropriate follow-up activities.
- (4) Ensure residents are free from **the following**:
 - (A) Sexual abuse.

- (B) Physical abuse.
 - (C) Mental abuse.
 - (D) Corporal punishment.
 - (E) Exploitation.
 - (F) Neglect. ~~and~~
 - (G) Involuntary seclusion.
- (5) Protect resident personal funds and property.

(Indiana State Board of Health Facility Administrators; [840 IAC 2-1-3](#); filed Feb 1, 1999, 10:52 a.m.: 22 IR 2004; readopted filed Jun 13, 2005, 2:00 p.m.: 28 IR 3353)

SECTION 21. [840 IAC 2-1-4](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 2-1-4](#) Personnel management

Authority: [IC 25-19-1-8](#)

Affected: [IC 25-19-1-7](#)

Sec. 4. With regard to personnel management, the ~~health facility administrator~~ **HFA or RCA** shall do the following:

- (1) Implement personnel policies and procedures that:
 - (A) define job responsibilities, accountability, and the performance appraisal process; and
 - (B) emphasize the importance of resident satisfaction.
- (2) Promote:
 - (A) job satisfaction;
 - (B) commitment to quality care; and
 - (C) residents' rights;

by assuring that a program is in place to provide for the recruitment, hiring, retention, training, and development of competent facility staff.

- (3) Ensure that personnel are present in number and ability to attain or maintain the highest practicable level of physical, mental, and psychosocial well-being for each resident.

(Indiana State Board of Health Facility Administrators; [840 IAC 2-1-4](#); filed Feb 1, 1999, 10:52 a.m.: 22 IR 2005; readopted filed Jun 13, 2005, 2:00 p.m.: 28 IR 3353)

SECTION 22. [840 IAC 2-1-5](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 2-1-5](#) Regulatory management

Authority: [IC 25-19-1-8](#)

Affected: [IC 25-19-1-7](#)

Sec. 5. With regard to regulatory management, the ~~health facility administrator~~ **HFA or RCA** shall develop and administer policies and procedures that comply with the following:

- (1) Protect residents, employees, or staff from discrimination consistent with federal, state, and local laws and regulations.
- (2) Protect resident records from unauthorized disclosure of confidential information.
- (3) Ensure that the facility complies with federal, state, and local laws and regulations.
- (4) Not allow payment or offer payment or other valuable consideration to any person or organization outside the facility for health facility admissions in violation of federal, state, and local laws and regulations.
- (5) Correct deficiencies found in the health facility resulting from a survey conducted by the Indiana state department of health or other appropriate regulatory agency in a time frame as established by such agency.

(Indiana State Board of Health Facility Administrators; [840 IAC 2-1-5](#); filed Feb 1, 1999, 10:52 a.m.: 22 IR 2005; readopted filed Jun 13, 2005, 2:00 p.m.: 28 IR 3353)

SECTION 23. [840 IAC 2-1-6](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 2-1-6](#) Financial management

Authority: [IC 25-19-1-8](#)

Affected: [IC 25-19-1-7](#)

Sec. 6. With regard to financial management, the ~~health facility administrator~~ **HFA or RCA** shall do the following:

- (1) Work with the governing body ~~and/or~~ **or** owner, **or both**, to plan, implement, and evaluate an integrated financial program for the facility ~~which~~ **that** ensures compliance with applicable laws and regulations and quality of care and life.
- (2) Evaluate the implications of the budget on the quality of care and life and share such with the governing body ~~and/or~~ **or** owner, **or both**.

(Indiana State Board of Health Facility Administrators; [840 IAC 2-1-6](#); filed Feb 1, 1999, 10:52 a.m.: 22 IR 2005; readopted filed Jun 13, 2005, 2:00 p.m.: 28 IR 3353)

SECTION 24. [840 IAC 2-1-7](#) IS AMENDED TO READ AS FOLLOWS:

[840 IAC 2-1-7](#) Environmental management

Authority: [IC 25-19-1-8](#)

Affected: [IC 25-19-1-7](#)

Sec. 7. With regard to environmental management, the ~~health facility administrator~~ **HFA or RCA** shall plan, implement, and evaluate a program of environmental services that does the following:

- (1) Ensures that the ~~nursing~~ **health** facility, its equipment, and its grounds are maintained in a way that protects the health, safety, and welfare, and rights of:
 - (A) residents;
 - (B) families;
 - (C) staff; and
 - (D) others.
- (2) Provides a clean and attractive home-like environment for the residents.

(Indiana State Board of Health Facility Administrators; [840 IAC 2-1-7](#); filed Feb 1, 1999, 10:52 a.m.: 22 IR 2005; readopted filed Jun 13, 2005, 2:00 p.m.: 28 IR 3353)

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