

ALABAMA BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS  
ADMINISTRATIVE CODECHAPTER 620-X-7  
LICENSES

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620-X-7-.01      Licenses.

(1) Every individual who holds a valid current license as a nursing home administrator issued by the Board under this Chapter shall immediately upon issuance have the right and privilege of acting and serving as a nursing home administrator and of using the abbreviation "N.H.A." after their name. Thereafter, such individual shall annually be required to make application to the Board for a renewal of license, and to report any facts requested by the Board on forms provided for such purposes. All license renewals will be issued and are due on the last day of the month in which the license expires, and all requirements must be met by that date.

(2) Upon making an application for a renewal of license, the individual shall pay an annual fee as determined by the Board, and at the same time shall submit evidence satisfactory to the Board that during the year immediately preceding application for renewal, he or she has complied with the requirements of the Board concerning the continuing education of nursing home administrators as provided in Rule 620-X-6-.01, paragraph (1) of these Rules and Regulations. The required continuing education hours must be completed by the renewal date of the license. It is the responsibility of the licensee to keep a current physical address and email address with the Board.

(3) Upon receipt of the application for renewal of license, the renewal fee, and the evidence required with respect to continuing education, the Board shall issue a letter and renewal card to the nursing home administrator.

(4) Failure to secure an annual renewal of a license based on a failure to meet the continuing education requirements, shall result in the expiration of the license. All persons holding an expired license and wishing to reactive the license shall be

required to submit a new application , have 24 hours of current (no more than one year old at the time of reactivation) continuing education credit approved b the Board prior to the reactivation of the license and pass a written state examination for licensure.

(5) A licensee who complies with the continuing education requirements but who does not renew within 90 days following its due date shall be deemed delinquent and may renew within the 90 day period by paying a late renewal fee established by the Board. A license that is not renewed within the 90 day period shall be deemed expired, and is subject to reapplication as provided in Rule No. 620-X-7-.01, paragraph (4) of these rules and regulations.

(6) A licensee who holds a current license and who is not practicing as a nursing home administrator may place that license into an "inactive status" upon written application to the Board. Any licensee whose license has been placed on inactive status may not engage in the practice of nursing home administration. A licensee whose license is on an inactive status who wishes to "reactivate" that license may do so by making application to the Board. The applicant shall attach proof of having completed 24 hours of approved continuing education credits within one year of making application for license reactivation, and shall pay a reactivation fee established by the Board. A licensee may not have his/her license in inactive status for more than five years. After five years in inactive status, the license automatically becomes expired.

(7) Only an individual who has qualified as a licensed and registered nursing home administrator who holds a current license shall have the right and privilege of using the title "Nursing Home Administrator," and have the right and privilege of using the abbreviation "NHA" after their name. No other person shall use or shall be designated by such title or such abbreviation or any other words, letters, signs, cards, or device tending to or intended to indicate that such person is a licensed nursing home administrator.

(8) The Board shall maintain a file of all applications for licensure that includes the following information on each applicant: residence, name, age, the name and address of his/her employer or business connection, the date of application, educational and experience qualifications, action taken by the Board, serial numbers of licenses issued to the applicant and the date on which the Board acted on or reviewed the application.

(9) The Board shall maintain a list of current licensees of the Board, and shall furnish the list on demand to any person who pays a fee established by the Board.

**Author:** Linda U. Jordan, Chairman

**Statutory Authority:** Code of Ala. 1975, §34-20-13.

**History:** January 8, 1982; Filed September 30, 1982. **Amended:** Filed July 30, 1993; effective August 24, 1993. **Amended:** Filed May 18, 1998; effective June 22, 1998. **Amended:** Filed September 11, 2003; effective October 16, 2003. **Amended:** Filed June 15, 2016; effective July 30, 2016.

**620-X-7-.02      Refusal, Suspension, Revocation Of License And  
Disciplinary Proceedings.**

(1) The license or the emergency permit of any persons practicing or offering to practice nursing home administration may be revoked or suspended by the Board, or such person may be reprimanded, censured, or otherwise disciplined in accordance with the provisions of this section upon decision and after due hearing in any of the following cases:

(a) Upon proof that such person has willfully or repeatedly violated any of the provisions of these rules and regulations, or the laws enacted in accordance therewith; or willfully or repeatedly acted in a manner inconsistent with the health and safety of the residents of the home in which he/she is administrator;

(b) Upon proof that such person's conduct is immoral, unprofessional or dishonorable;

(c) Upon proof that such person is guilty of fraud or deceit in the practice of nursing home administration, or in his or her admission to such practice;

(d) Upon proof that such person has been convicted in a court of competent jurisdiction, either within or without the state, of a crime involving moral turpitude;

(e) Was not or is not entitled to license or certificate of registration; or

(f) Has violated any of the provisions of the law pertaining to the licensing of nursing home administrators or the rules and regulations of the Board pertaining thereto;

(g) Has willfully violated any of the provisions of the law, code, rules or regulations of the licensing or supervising authority or agency of the state or political subdivision thereof having jurisdiction of the operation and licensing of nursing homes;

(h) Has been convicted of a crime, except a petty traffic offense as defined in Rule 620-X-5-.03, paragraph (4) of these rules and regulations;

- (i) Is incompetent to engage in the practice of nursing home administration or to act as a nursing home administrator;
  - (j) Is addicted or dependent upon the use of alcohol, morphine, opium, cocaine, or other drugs recognized as resulting in an abnormal effect;
  - (k) Has paid, given or caused to be paid or given, or offered to pay or to give any person a commission or other valuable consideration for the solicitation or procurement, either directly or indirectly, of nursing home patronage;
  - (l) Has been guilty of fraudulent, misleading, or deceptive advertising;
  - (m) Has failed to exercise true regard for the safety, health and life of the resident;
  - (n) Has willfully permitted unauthorized disclosure of information relating to a resident or his/her records;
  - (o) Has discriminated in respect to residents, employees, or staff on account of race, gender, religion, or national origin;
  - (p) Has given false or untrue information to the Board or its officers or agents in his/her initial application for licensure or application for renewal, or has given false or untrue information to the Board or its officers or agents regarding matters before the Board, or its officers or agents, or has refused to give information when lawfully required to do so by the Board or its officers or agents.
- (2) The Board shall have the jurisdiction to hear all charges brought under the provisions of this section against any person having been issued a license as a nursing home administrator or having been issued a license as a provisional nursing home administrator; and upon such hearings shall determine the charges upon their merits. If the Board determines that disciplinary measures should be taken, the Board may revoke his or her license, suspend him or her from practice, or reprimand, censure or otherwise discipline such person.
- (3) All proceedings under this section shall be heard by the Board with at least two thirds of its members present, and decisions to discipline any licensee shall require a vote of two thirds of the membership of the entire Board; provided, that the Board may designate three or more of its membership to comprise a hearing committee for the purpose of determining whether charges brought justify a hearing by the Board, and with the authority to dismiss frivolous or unfounded charges.

(4) At any hearing under this chapter, the person charged shall have the right to appear either personally or by counsel, or both; to produce witnesses and evidence in his/her own behalf; and to cross-examine witnesses. The Board or hearing committee shall have the authority to issue subpoenas, compel the attendance of witnesses, administer oaths and take testimony concerning all matters within the jurisdiction of the Board. The circuit court of the county wherein said hearing is to take place shall have the authority, on application of the Board, to enforce obedience to said subpoenas and orders of the Board concerning such testimony.

**Author:** Robert J. Coker, Jr., Chairman

**Statutory Authority:** Code of Ala. 1975, §34-20-14

**History:** January 8, 1982; Filed September 30, 1982. **Amended:** Filed July 20, 1993; effective August 24, 1993. **Amended:** Filed September 11, 2003; effective October 16, 2003.

**620-X-7-.03      Prohibited Act: Penalties.**

(1) It shall be a misdemeanor for any person to:

(a) sell or fraudulently obtain or furnish any license or aid or abet therein;

(b) practice as a nursing home administrator under cover of any license illegally or fraudulently obtained or unlawfully issued;

(c) practice as a nursing home administrator or use in connection with his or her name any designation tending to imply that he or she is a nursing home administrator unless duly licensed to so practice under the provisions of these rules and regulations;

(d) practice as a nursing home administrator or use in connection with his or her name any designation tending to imply that he or she is a nursing home administrator during the time his or her license issued under the provisions of these rules and regulations shall be expired, suspended, revoked; or

(e) otherwise violate any of the provisions of these rules and regulations.

(2) Such misdemeanor shall be punishable by a fine of not more than \$500.00, or by imprisonment in the county jail for not more than 90 days or by both such fine and imprisonment.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §34-20-16.

**History:** January 8, 1982; Filed September 30, 1982.

**620-X-7-.04      Restoration Of License.**

The Board may for good cause shown, upon such terms as the Board may prescribe, reissue a license to any person whose license has been revoked.

**Author:** John L. Wallace, Chairman

**Statutory Authority:** Code of Ala. 1975, §34-20-15.

**History:** January 8, 1982; Filed September 30, 1982.