

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

NURSING HOME ADMINISTRATORS

GENERAL RULES

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, **16178**, and 17309 of 1978 PA 368, MCL 333.16145, MCL 333.16148, **MCL 333.16178**, and **MCL 333.17309** and Executive Reorganization Order Nos. ~~1996-1~~ **1991-9**, 1996-2, 2003-1, and 2011-4, ~~MCL 330.3101~~, **338.3501**, **MCL 445.2001**, **MCL 445.2011**, and **MCL 445.2030**)

R 339.14001, R 339.14005, R 339.14007, R 339.14008, R 339.14009, R 339.14011, R 339.14020, R 339.14020a, and R 339.14029 of the Michigan Administrative Code are amended; R 339.14012, R 339.14013, R 339.14022, R 339.14024, R 339.14024a, R 339.14026, R 339.14026a, R 339.14032 are added; and R 339.14002, R 339.14015, R 339.14023, R 339.14025, R 339.14027, R 339.14030, R 339.14031, R 339.14033, R 339.14035 are rescinded as follows:

PART 1. GENERAL PROVISIONS

R 339.14001 Definitions.

Rule 1. (1) As used in these rules:

(a) "Accredited institution" means a college or university that meets the standards set forth in R 339.14005.

(b) "Board" means the **Michigan** board of nursing home administrators.

(c) "Code" means 1978 PA 368, MCL 333.1101 to 333.25211.

(d) "Department" means the department of licensing and regulatory affairs.

(e) "**Life Safety Code**" means the **National Fire Protection Association 101 Life Safety Code**.

~~(e)~~ (f) "Sponsor" means a person or an organization offering continuing education courses relating to the practice of nursing home administration.

(2) The terms defined in the code have the same meanings when used in these rules.

R 339.14002 ~~Training standards for identifying victims of human trafficking; requirements.~~ **Rescinded.**

~~Rule 2. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual licensed or seeking licensure shall complete training in identifying victims of human trafficking that meets the following standards:~~

~~(a) Training content shall cover all of the following:~~

~~(i) Understanding the types and venues of human trafficking in Michigan or the United States.~~

~~(ii) Identifying victims of human trafficking in health care settings.~~

~~(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.~~

~~(iv) Resources for reporting the suspected victims of human trafficking.~~

~~(b) Acceptable providers or methods of training include any of the following:~~

~~(i) Training offered by a nationally recognized or state-recognized, health-related organization.~~

~~(ii) Training offered by, or in conjunction with, a state or federal agency.~~

~~(iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.~~

~~(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subrule (1)(a) of this rule and is published in a peer review journal, health care journal, or professional or scientific journal.~~

~~(c) Acceptable modalities of training may include any of the following:~~

~~(i) Teleconference or webinar.~~

~~(ii) Online presentation.~~

~~(iii) Live presentation.~~

~~(iv) Printed or electronic media.~~

~~(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:~~

~~(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.~~

~~(b) A self-certification statement by an individual. The certification statement shall include the individual's name and either of the following:~~

~~(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.~~

~~(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.~~

~~(3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply to license renewals beginning with the first renewal cycle after the promulgation of this rule and for initial licenses issued 5 or more years after the promulgation of this rule.~~

PART 2. CONTINUING EDUCATION

R 339.14005 Accreditation standards; adoption by reference.

Rule 5. (1) The department, in consultation with the board, adopts by reference the procedures and criteria for recognizing accrediting organizations of the council

of higher education accreditation (CHEA), approved September 28, 1998, and revised June 28, 2010, and the procedures and criteria for recognizing accrediting agencies of the United States Department of Education, effective July 1, 2010, as contained in Title 34, Part 602 of the Code of Federal Regulations. The CHEA recognition standards may be obtained from CHEA, One Dupont Circle NW, Suite 510, Washington, DC 20036-1110, or from the council's website at <http://www.chea.org> at no cost. The federal recognition criteria may be obtained at no cost from the United States Department of Education's website at: <http://www.ed.gov>.

~~An institution is considered approved by the board if it is accredited by the accrediting body of the region in which the institution is located, and the accrediting body meets either the recognition standards and criteria of the council for higher education accreditation or the recognition procedures and criteria of the United States department of education.~~

~~(2) The procedures and criteria for recognizing accrediting agencies of the United States department of education, effective July 1, 2000, as contained in Title 34, Part 602 of the Code of Federal Regulations, and the "Recognition of Accrediting Organizations Policies and Procedures," of the Council for Higher Education Accreditation, CHEA" approved September 28, 1998 and revised June 28, 2010 are adopted by reference in these rules. The chea recognition standards may be obtained at no cost from the council's website at <http://www.chea.org/default.asp?link=9>. The federal recognition criteria may be obtained at no cost from the website for the United States Department of Education Office of Postsecondary Education at <http://www2.ed.gov/admins/finaid/accred>.~~

~~(3) All of the following standards of postsecondary accrediting organizations are adopted by reference in these rules:~~

~~-(a) The standards of the Middle States Association of Colleges and Schools, Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, set forth in the document entitled "Characteristics of Excellence in Higher Education: Requirements of Affiliation and Standards for Accreditation," 2011 edition, which is available at no cost on the association's website at <http://www.msche.org>.~~

~~-(b) The standards of the New England Association of Schools and Colleges, Inc. Commission on Institutions of Higher Education, 209 Burlington Road, Suite 201, Bedford, MA 07130, in the document entitled "Standards for Accreditation," effective July 1, 2011, which is available at no cost on the association's website at <http://eihe.neasc.org>.~~

~~-(c) The standards of the North Central Association of Colleges and Schools, The Higher Learning Commission, 230 South LaSalle Street, Suite 7-500, Chicago, IL 60604, set forth in the document entitled "Criteria for Accreditation, Assumed Practices, Obligations of Affiliation," effective January 1, 2013, which is available at no cost on the association's website at <http://www.ncahle.org/information-for-institutions/obtaining-accreditation.html>.~~

~~-(d) The standards of the Northwest Commission on Colleges and Universities, 8060 165th Avenue NE, Suite 100, Redmond, WA 98052 set forth in the document entitled "Standards for Accreditation," revised 2010, which is available at no cost on the association's website at <http://www.nwccu.org>.~~

~~-(e) The standards of the Southern Association of Colleges and Schools, Commission on Colleges, 1866 Southern Lane, Decatur, GA 30033, set forth in the document entitled "Principles of Accreditation: Foundations for Quality Enhancement," 2012 edition, which is available at no cost on the association's website at <http://www.sacscoc.org/principles.asp>.~~

~~-(f) The standards of the Western Association of Schools and Colleges, The Accrediting Commission for Senior Colleges and Universities, 985 Atlantic Avenue, Suite 100, Alameda, CA 94501, set forth in the document entitled "Handbook of Accreditation," July 2008, which is available at no cost on the commission's website at <http://wascenior.org/resources/eligibility>.~~

~~-(g) The standards of the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges, 10 Commercial Blvd., Suite 204, Novato, CA 94949, set forth in the document entitled "Accreditation Reference Handbook," July 2012 Edition, which is available at no cost on the commission's website at <http://www.acejc.org>.~~

(4) **(2)** Copies of the standards and criteria adopted by reference in subrules (2) and (3) of this rule **recognizing accrediting agencies used by CHEA and the department of education** are available for inspection and distribution at cost from the Board of Nursing Home Administrators, Bureau of ~~Health Care Services~~ **Professional Licensing**, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

R 339.14007 Approved course of instruction and training.

Rule 7. ~~(1)~~ The department, in consultation with the board, ~~shall only approve~~ **approves** a course of instruction and training that meets ~~both~~ **all** of the following requirements:

~~(a) (1)~~ Complies with section 17309(2) of the code, MCL 333.17309(2). ~~For the purposes of this rule, a course of instruction and training that complies with section 17309(2) of the code shall include~~

~~(b) Includes~~, at a minimum, a total of 9 semester credits or 144 clock hours of instruction. The instruction provided shall include, ~~at a minimum~~, all of the following subjects:

~~(i) (a)~~ Administrative management of a nursing home.

~~(ii) (b)~~ Human resources ~~or personnel~~ management in a nursing home.

~~(iii) (c)~~ Financial management of a nursing home.

~~(iv) (d)~~ State and federal laws ~~governing the~~ **and regulations regarding the nursing home industry**, operation of a nursing home, ~~patients~~, **emergency preparedness, including Medicare and Medicaid provider compliance with the requirements of the Life Safety Code**, and the protection of ~~patients~~ **patients' health, safety, and welfare** in a nursing home.

~~(v) (e)~~ Gerontology or the aging process.

~~(vi) Patient care.~~

~~(vii) Services provided in a nursing home.~~

~~(viii) Infection control.~~

~~(ix) Environmental issues.~~

~~(x) Emergency preparedness.~~

(vi) Identification of elder abuse and neglect.

~~(b) (c) Is offered by an accredited institution that meets the standards in R 339.14005.
(2) A course of instruction and training that meets the requirements of subrule (1) of this rule qualifies as a course of instruction and training approved by the department.~~

PART 3. LICENSURE

R 339.14008 Application for nursing home administrator license; requirements.

Rule 8. (1) **The department shall issue a nursing home administrator license to an applicant who satisfies all of the following:** ~~An applicant for a nursing home administrator license shall~~

~~(a) submit~~ **Submits** the required fee and a completed application on a form provided by the department.

(b) Pays the required fee to the department.

~~(c) In addition to meeting the requirements of the code and these rules, an applicant for licensure shall meet~~ **Complies with either** † of the following:

~~(a) (i) Complete~~ **Completed** a course of instruction and training that meets the requirements of R 339.14007(1)(a) and (b);

~~(b) (ii) Have been~~ **Had been** employed as a chief executive or administrative officer at a state-licensed hospital for not less than 5 of the 7 years immediately preceding the date of applying for a nursing home administrator license, as provided in **section 17309(3), MCL 333.17309(3)**, of the code.

(2) In addition to meeting the requirements of subrule (1) of this rule, an applicant shall, **within 1 year after the date of the application**, pass both of the following examinations ~~within 1 year of the date of application:~~

(a) ~~The national~~ **National Association of Long-term Care Administrator Board's (NAB) Core of Knowledge Examination for Long Term Care Administrators (CORE)** ~~nursing home administrators licensing examination of the national association of long term care administrator boards that is administered by the professional examination service of the NAB or its successor organization, pursuant to R 339.14011(1).~~

~~(b) The Michigan nursing home licensure examination, pursuant to R 339.14011(2).~~ **The NAB National Nursing Home Administrators Line of Service Examination (NHA LOS) administered by the professional examination service of the NAB or its successor organization, pursuant to R 339.14011.**

(3) An applicant may sit for the ~~national~~ **CORE** and the **NHA LOS** ~~and Michigan~~ examinations a maximum of ~~6~~ **4** times ~~for each examination.~~

R 339.14009 Eligibility for examinations.

Rule 9. (1) **An applicant** ~~To establish eligibility may take the CORE and the NHA LOS examinations for the licensure examinations required under R 339.14008(2)(a) and (b), an~~ ~~after the applicant shall comply with~~ **has both of the following received authorization from the department to take the examinations.**

(2) **The department shall authorize the applicant to take the examinations when it has received** ~~(a) Submit the required fee and a completed application on a form provided by the department~~ **and either of the following:**

~~(b) (a) Have documentation provided directly to the department from an accredited institution has provided documentation directly to the department verifying that the applicant has meets met the educational requirements specified in R 339.14008(1)(a)(c)(i). or (b), as applicable.~~

(b) Documentation sent directly to the department that the applicant has met the employment requirements specified in R 339.14008(1)(c)(ii).

~~(2) An applicant shall not schedule a time to take the examinations required under R 339.14008(2)(a) and (b), until he or she receives authorization from the department that all documentation and fees are received.~~

R 339.14011 ~~National~~ **Passing examination scores.** ; ~~state examination topics~~

Rule 11. ~~(1) The passing score of for the CORE and for the NHA LOS examinations of the exam by the national nursing home administrators licensing examination of the national association of long term care administrator boards (nab), shall be is the passing score recommended by the nab NAB.~~

~~(2) The passing score for the examination State examination on laws and rules related to the practice of nursing home administration in this state shall be a converted score of not less than 75.~~

~~(3) The examination topics of the Michigan nursing home administrator licensure examination shall include, but are not limited to, all of the following:~~

~~(a) Community and public health laws, which include, but are not limited to, all of the following:~~

- ~~(i) State administration.~~
- ~~(ii) Administrative management of facilities.~~
- ~~(iii) Patient care.~~
- ~~(iv) Physician services.~~
- ~~(v) Nursing services.~~
- ~~(vi) Infection control.~~
- ~~(vii) Food services.~~
- ~~(viii) Pharmaceutical services.~~
- ~~(ix) Records.~~
- ~~(x) Building and grounds.~~
- ~~(xi) Emergency procedures.~~

~~(b) Medicaid regulations, which include, but are not limited to, both of the following:~~

- ~~(i) Contractual obligations.~~
- ~~(ii) Reporting requirements, which include all of the following:~~
 - ~~(A) Admission and discharge.~~
 - ~~(B) Patient financial status requirements.~~
 - ~~(C) Trust fund reporting requirements.~~
 - ~~(D) Annual cost reporting.~~
 - ~~(E) Billing procedures.~~
- ~~(c) Michigan's nursing home administrators' license law.~~
- ~~(d) Michigan fire safety laws.~~

~~(e) Michigan labor and management laws, which include but are not limited to, all of the following:~~

~~(i) Unemployment insurance.~~
~~(ii) Worker's compensation.~~
~~(iii) Labor relations.~~
~~(4) The passing scores on the examinations approved under subrules (1) and (2) of this rule are valid for 1 year from the date the applicant completed the first examination that resulted in a passing score. An applicant who fails to pass both examinations within the 1 year time period shall retake and pass both examinations as required in this subrule.~~

R 339.14012 Training standards for identifying victims of human trafficking; requirements.

Rule 12. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual licensed or seeking licensure shall complete training in identifying victims of human trafficking that meets the following standards:

(a) Training content shall cover all of the following:

(i) Understanding the types and venues of human trafficking in Michigan or the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) Resources for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally recognized or state-recognized, health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.

(c) Acceptable modalities of training may include any of the following:

(i) Teleconference or webinar.

(ii) Online presentation.

(iii) Live presentation.

(iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by an individual. The certification statement shall include the individual's name and either of the following:

(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.

(3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply to license renewals after March 17, 2019 and for initial licenses issued on or after March 17, 2021.

R 339.14013 Minimum English language standard.

Rule 14013. (1) Pursuant to section 16174(1)(d) of the code, MCL 333.16174(1)(d), an applicant seeking initial licensure shall demonstrate a working knowledge of the English language if the applicant's educational or training program was taught outside the United States, unless exempted by subrule (3) of this rule.

(2) To demonstrate a working knowledge of the English language, an applicant shall submit proof that he or she has obtained a total score of not less than 80 on the test of English as a foreign language internet-based test (TOEFL-IBT) administered by the educational testing service.

(3) If an applicant's education or training program was taught in English within 1 or more of the following, he or she is exempted from the requirements of subrule (1) of this rule:

- (a) Any country where English is the official language.**
- (b) Canada, except Quebec.**
- (c) England.**
- (d) Ireland.**
- (e) New Zealand.**
- (f) Australia.**

R 339.14015 Professional designation. Rescinded.

~~—Rule 15. Only a holder of a valid license for the current licensing period may use the title "nursing home administrator" or the abbreviation "N.H.A." after his or her name.~~

R 339.14020 Relicensure.

Rule 20. (1) An applicant for relicensure whose Michigan license has lapsed, under the provisions of 16201(3) or (4) of the code, MCL 333.16201(3) or (4), as applicable, may be relicensed by complying with the following requirements as noted by (v):

~~whose license has lapsed for less than 3 years preceding the date of application for relicensure may be relicensed under section 16201(3) of the code, MCL 333.16201(3), if the applicant meets both of the following requirements:~~

~~—(a) Submits the required fee and a completed application on a form provided by the department.~~

~~—(b) Submits proof to the department of earning not less than 36 hours of board-approved continuing education credits during the 2 years immediately preceding the application for relicensure.~~

~~-(2) An applicant whose Michigan license has lapsed for 3 years or more preceding the application for relicensure and who is currently not licensed or registered in another state or territory of the United States may be relicensed under section 16201(4), MCL 333.16201(4) of the code, if the applicant meets all of the following requirements:~~

~~-(a) Submits the required fee and a completed application on a form provided by the department.~~

~~-(b) Meets the educational requirements specified in R 339.14008(1)(a) or (b), as applicable.~~

~~-(c) Passes the national nursing home administrators licensing examination of the nab that is administered by the professional examination service or its successor organization, pursuant to R 339.14011(1).~~

~~-(d) Passes the Michigan nursing home licensure examination, pursuant to R 339.14011(2).~~

~~-(3) An applicant whose Michigan license has lapsed for 3 years or more preceding the application for relicensure and who is currently licensed or registered in another state or territory of the United States may be relicensed under MCL 333.16201(4) of the code if the applicant meets all of the following requirements:~~

~~-(a) Submits the required fee and a completed application on a form provided by the department.~~

~~-(b) Meets the educational requirements specified in R 339.14008(1)(a) or (b), as applicable. An applicant who has been licensed or registered and practicing as a nursing home administrator for 5 consecutive years or more in any state or territory of the United States as of the date of application for a Michigan license shall be presumed to meet the requirements of this subdivision.~~

~~-(c) Passes the Michigan nursing home licensure examination, pursuant to R 339.14011(2).~~

~~-(4) In addition to meeting the requirements of subrule (1), (2), or (3) of this rule, as applicable, an applicant shall have his or her license or registration verified by the licensing agency of any state of the United States in which the applicant holds a current license or registration or ever held a license or registration as a nursing home administrator. If applicable, verification shall include the record of any disciplinary action taken or pending against the applicant.~~

(1) An applicant who has let his or her Michigan license lapse and who does not hold a current and valid nursing home administrator license in another state of the United States or province of Canada:	Lapsed 0-3 Years.	Lapsed More than 3 Years.
(a) Application and fee: Submits a completed application on a form provided by the department, together with the requisite fee.	√	√
(b) Establishes that the applicant is of good moral character.		√

(c) Submits fingerprints as set forth in section 16174(3) of the code, MCL 333.16174(3).		√
(d) Passed the CORE and NHA LOS examinations.		√
(e) If applicable, provide proof of any nursing home administrator license previously held: An applicant's nursing home administrator license must be verified by the licensing agency of any state or territory of the United States or province of Canada in which the applicant has ever held a nursing home administrator license. Verification must include the record of any disciplinary action taken or pending against the applicant.	√	√
(f) Completed 36 hours of continuing education (CE) credits during the 2 years immediately preceding the application for relicensure.	√	√

(2) An applicant who has let his or her Michigan license lapse and who is currently licensed or registered in another state or territory of the United States or province of Canada may be relicensed under section 16201(4), MCL 333.16201(4) of the code if the applicant satisfies all of the following:	Lapsed 0-3 Years.	Lapsed More than 3 Years.
(a) Application and fee: Submits a completed application on a form provided by the department, together with the requisite fee.	√	√
(b) Establishes that the applicant is of good moral character.		√
(c) Submits fingerprints as set forth in section 16174(3) of the code, MCL 333.16174(3).		√
(d) Provides proof of a current and valid nursing home administrator license: An applicant's nursing home administrator license must be verified by the licensing	√	√

<p>agency of any state or territory of the United States or province of Canada in which the applicant holds or has ever held a nursing home administrator's license.</p> <p>Verification must include the record of any disciplinary action taken or pending against the applicant.</p>		
<p>(e) Meets either of the following:</p> <p>(i) The educational requirements specified in R 339.14008(1)(c)(i).</p> <p>(ii) Had been licensed or registered and practicing as a nursing home administrator for 5 consecutive years or more in any state or territory of the United States as of the date of application for relicensure, as specified in R 339.1408(1)(c)(ii).</p>		√
<p>(f) Completed 36 hours of CE credits during the 2 years immediately preceding the application for relicensure.</p>	√	√

R 339.14020a Licensure by endorsement.

Rule 20a. (1) An applicant for a nursing home administrator license by endorsement, in addition to meeting the requirements of the code and these rules, shall submit the required fee and a completed application on a form provided by the department.

~~An applicant who satisfies the requirements of this rule, as applicable, meets the requirements of MCL 333.16186 of the code.~~

(2) If an applicant was first registered or licensed as a nursing home administrator in another state for 5 years or more immediately preceding the date of filing an application for a Michigan nursing home administrator license, then the applicant is presumed to meet the educational requirements in R 339.14008(1)(c)(i)(a) or (b) and shall pass the Michigan nursing home licensure examination, pursuant to R 339.14011(2).

(3) If an applicant was first registered or licensed as a nursing home administrator in another state for less than 5 years immediately preceding the date of filing an application for a Michigan nursing home administrator license, then the applicant shall meet ~~both of the following requirements:~~

~~–(a) Meet the educational requirements specified in R 339.14008(1)(c)(i)(a) or (b), as applicable.~~

~~–(b) Pass the Michigan nursing home licensure examination, pursuant to R 339.14011(2).~~

(4) In addition to meeting the requirements of subrule (1) and either subrule (2) or (3) of this rule, ~~as applicable,~~ an applicant shall have his or her license or registration verified by the licensing agency of any state of the United States in which the applicant holds a ~~current license or registration~~ or ever held a license or registration as a nursing home

administrator. ~~If applicable, verification~~ **Verification** shall include the record of any disciplinary action taken or pending against the applicant.

PART 4. CONTINUING EDUCATION

R 339.14022 Required continuing education; certification; documentation.

Rule 22. (1) If a licensee who is applying for license renewal has been licensed for the entire 2-year licensing cycle immediately preceding the expiration date of his or her license, the licensee shall accumulate not less than 36 hours of continuing education credits from courses approved pursuant to R 339.14026 before submitting a renewal application.

(2) A licensee's renewal submission is the certification that he or she has accumulated 36 hours of continuing education within the preceding, 2-year licensing cycle.

(3) The board may require an applicant or licensee to submit evidence to demonstrate compliance with this rule.

(4) The licensee shall retain documentation of the approved continuing education credit hours earned for a period of 4 years after renewal of the license.

(5) The department may select and audit a sample of renewal applications and request a licensee to produce documentation proving that the licensee complied with continuing education requirement in subrule (1) of this rule.

(6) The department shall receive a request for a waiver under section 16205 of the code, MCL 333.16205, before the expiration date of the license.

R 339.14023—Qualifying subjects. Rescinded.

~~—Rule 23. Subjects qualifying for continuing education credit include the following:~~

~~—(a) Behavioral science.~~

~~—(b) Economics/finance.~~

~~—(c) Geriatrics/gerontology.~~

~~—(d) Health care.~~

~~—(e) Management.~~

~~—(f) Marketing.~~

~~—(g) Pharmacology and toxicology.~~

~~—(h) Labor relations.~~

~~—(i) Law.~~

~~—(j) Communications.~~

~~—(k) Any other related subjects contributing to the professional competency of a licensee. The responsibility for substantiation of such subjects rests solely with the licensee.~~

R 339.14024 Credits earned; limit on distance learning credits; required credits.

Rule 24. (1) As used in this rule, "participation" means education time, exclusive of any break.

(2) One continuing education credit hour is earned for each 50 to 60 minutes of participation in a continuing education course approved pursuant to R 339.14026 or R 339.14026a.

(3) Fifteen continuing education credit hours are earned for each semester credit hour earned from an accredited college or university.

(4) Ten continuing education credit hours are earned for each academic quarter credit hour earned from an accredited college or university.

(5) A maximum of 20 continuing education credit hours may be earned through online or electronic media, such as videos, internet web-based seminars, video conference, online continuing education programs, or through any other media that do not permit live interaction between the presenter and the licensee.

(6) A minimum of 2 continuing education credit hours shall be earned in pain and symptom management during each renewal cycle, as required under section 16204 of the code, MCL 333.16204.

(7) A minimum of 1 continuing education credit hour shall be earned in state specific laws and regulations pertaining to licensed nursing home and nursing care facilities during each renewal cycle.

R 339.14024a Carry over credit; duplicate continuing education credit; limitation.

Rule 24a. (1) The continuing education credit hours earned during 1 renewal cycle shall not be carried forward to the next renewal cycle.

(2) A licensee shall not earn continuing education credit for completing the same course twice within the same renewal cycle.

R 339.14025 Application for approval of programs.—Rescinded.

~~—Rule 25. (1) A continuing education sponsor seeking approval of a continuing education program shall apply on forms provided by the department and submit the completed application not less than 45 days before the first date of instruction.~~

~~—(2) A sponsor seeking approval of a program of group instruction shall submit all of the following materials with the application:~~

- ~~—(a) A course outline.~~
- ~~—(b) A list of instructional materials.~~
- ~~—(c) Instructor resumes.~~
- ~~—(d) The methodology for verifying and monitoring attendance.~~
- ~~—(e) A written policy regarding refunds of course fees.~~

~~—(3) A sponsor seeking approval for a distance learning program, as defined in R 339.14031(5), shall submit all of the following materials with the application:~~

- ~~—(a) A course outline.~~
- ~~—(b) A list of instructional materials.~~
- ~~—(c) The methodology for verifying satisfactory completion.~~
- ~~—(d) A written policy regarding refunds of course fees.~~

R 339.14026 Approved continuing education courses.

Rule 26. If a continuing education course covers a qualifying subject specified in R 339.14032, the following continuing education courses are approved by the board:

(a) A course approved by the NAB.

(b) A course offered as part of the curriculum of a college or university that meets the accreditation standards adopted in R 339.14005.

R 339.14026a Application for board approval of continuing education course.

Rule 26a. (1) If a continuing education course is not approved pursuant to R 339.14026 (a) and (b), the sponsor of the course may seek board approval by complying with both of the following:

- (a) Completing and submitting an application on the form provided by the department not less than 120 days before the first date of instruction.**
- (b) Submitting with the application all of the following materials:**
 - (i) A course outline that must include the length of time designated for each topic.**
 - (ii) A list of instructional materials.**
 - (iii) A copy of each instructor's résumé.**
 - (iv) A description of the methodology to be used to monitor and verify attendance and the sponsor's policy for retention of documents verifying course completion.**
 - (v) A written policy describing the sponsor's refund policy.**

(2) If the sponsor of the course is seeking approval for credits that may be used to satisfy the pain and symptom management continuing education required by R 339.14024(6), the board may approve credit or credits that could be applied toward that requirement based on the length of time the topic will be covered in the course.

(3) At the conclusion of each board approved course, the sponsor of the course shall award to each participant a certificate or written evidence of attendance that indicates all of the following:

- (a) The participant's name.**
- (b) The date the course was offered.**
- (c) The location of where the course offered.**
- (d) The sponsor approval number.**
- (e) The number of hours of continuing education earned.**
- (f) If applicable, the hours of continuing education earned that could may satisfy the pain and symptom management continuing education required by R 339.14024(7).**

(4) The sponsor of the course shall maintain attendance records for 4 years from the date of the course.

(5) The board shall not approve any application that was filed after the first date of instruction.

R 339.14027 Standards for approval of programs. Rescinded.

~~Rule 27. (1) The department shall approve a continuing education group program for the designated continuing education period if the continuing education group program complies with all of the following requirements:~~

- ~~(a) The subject matter as listed in R 339.14023.~~
- ~~(b) Attendance is taken.~~
- ~~(c) The program is not less than 50 minutes in duration.~~
- ~~(d) The program is conducted by an instructor or discussion leader whose background, training, education, or experience makes it appropriate for him or her to lead a discussion on the subject matter.~~

~~-(e) The sponsor of the program maintains written records of individuals' completion of the program for a period of 3 years.~~

~~-(2) The department shall approve a continuing education distance learning program, as defined in R 339.14031(5), for the designated continuing education period if the program is in compliance with all of the following requirements:~~

~~-(a) The subject matter as listed in R 339.14023.~~

~~-(b) The program is an educational course which is designed for self study and which requires evidence of satisfactory completion.~~

~~-(c) The sponsor maintains written records of individual course completion, including a program outline and the continuing education hours earned by participants, for a period of 3 years.~~

~~-(3) The department shall issue an approval number to all approved programs.~~

~~-(4) The department shall approve a course offered by an accredited institution for continuing education credit, if the subject matter as listed in R 339.14023 or the subject of the course is related to nursing home administration. Such courses do not require pre-approval pursuant to R 339.14025.~~

~~-(5) Continuing education programs offered by the nab are considered approved.~~

R 339.14029 **Withdrawal of board approval of continuing education course.**

Rule 29. Approval of a continuing education **course program** may be withdrawn by the **board department** for failure to comply with the requirements of R 339.14027(1) **339.14026a**.

R 339.14030 **Continuing education; license renewal requirements. Rescinded.**

~~-Rule 30. (1) An applicant for license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license shall have earned 36 hours of board approved continuing education credits that were earned within the 2 years immediately preceding the application for renewal. An applicant for license renewal shall not be required to complete a minimum number of hours of board approved continuing education credits for each year of the license cycle.~~

~~-(2) A licensee is not required to complete the requirements of subrule (1) of this rule for his or her first license renewal.~~

~~-(3) Submission of an application for renewal shall constitute the applicant's certification of compliance with this rule. An applicant for renewal shall retain documentation of meeting the requirements of this rule for a period of 3 years after renewal of the license. Failure to comply with this rule is a violation of MCL 333.16221(h) of the code.~~

R 339.14031 **Acceptable continuing education; limitations. Rescinded.**

~~-Rule 31. (1) For the purpose of this rule, "participation" means education time, exclusive of coffee breaks; breakfast, luncheon, or dinner periods; or any other breaks in the program.~~

~~-(2) One continuing education credit hour shall be earned for each 50 to 60 minutes of participation in a continuing education program that complies with the standards in R 339.14027.~~

~~-(3) An academic semester credit hour earned from an accredited college or university shall equal 15 continuing education hours.~~

~~-(4) An academic quarter credit hour earned from an accredited college or university shall equal 10 continuing education hours.~~

~~-(5) A maximum of 18 continuing education hours may be earned by successfully completing distance learning programs. For the purposes of these rules, distance learning means approved continuing education courses, programs, or activities where the instructor and participant are apart and not able to immediately interact. Instruction takes place through media including, but not limited to, Internet courses, books, journal articles, manuals, CDs, DVDs, audio and video tapes, and home study courses. This subrule applies to an application for renewal that is filed for the first full renewal cycle after the effective date of these rules.~~

~~-(6) Not less than 18 continuing education hours shall be earned by successfully completing live courses or programs that provide for direct interaction between faculty and participants, including but not limited to, lectures, symposia, workshops and teleconferences, such as interactive classrooms and computer conferencing. This subrule applies to an application for renewal that is filed for the first full renewal cycle after the effective date of these rules.~~

~~-(7) An applicant for license renewal shall complete in each renewal period not less than 2 continuing education hours in pain and symptom management, as required under section 16204 of the code. This subrule applies to an application for renewal that is filed for the first full renewal cycle after the effective date of these rules.~~

R 339.14032 Qualifying continuing education subjects.

Rule 32. One or more qualifying subjects shall be covered in a course for the participant to receive continuing education credit. Qualifying subjects are those that contribute to the professional competency of a licensee, including 1 or more of the following:

- (1) Behavioral science.**
- (2) Economics, finance, marketing, or management.**
- (3) Geriatrics, gerontology, or aging.**
- (4) Health care, patient care, or elder abuse and neglect identification.**
- (5) Pharmacology and toxicology.**
- (6) Human resources.**
- (7) State and federal laws and regulations regarding the nursing home industry.**
- (8) Communications or information technology.**
- (9) Pain and symptom management.**

R 339.14033 Proof of completion of approved program. Rescinded.

~~-Rule 33. (1) At the close of each approved program, a sponsor shall give to each person in attendance a completion certificate, which shall include all of the following information:~~

- ~~-(a) The name of the person.~~
- ~~-(b) The name of the program.~~
- ~~-(c) The approval number of the program.~~
- ~~-(d) The date of the program or the date the person attended the program.~~

- ~~-(e) The number of approved continuing education hours for the program.~~
- ~~-(2) The sponsor shall retain a list of persons who satisfactorily completed the program for 3 years from the date of the program.~~
- ~~-(3) Proof of completion of a course at an accredited college or university shall consist of a transcript or a grade report showing that the course has been satisfactorily completed and that university or college credit has been earned.~~

R 339.14035 Satisfactory completion of continuing education requirements. **Rescinded.**

- ~~-Rule 35. (1) Hours earned during 1 continuing education period cannot be carried forward to the next period.~~
- ~~-(2) A licensee shall not submit for credit, and the board shall not give credit for, completing the same program within the same continuing education period.~~