

JUL 15 2021

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| ADOPTED RULE |
| DOCUMENT # <u>13234</u> |
| FILED <u>7-15-21 @ 1:35 PM</u> |
| EFFECTIVE <u>7-15-21 @ 1:35 PM</u> |
| EXPIRES <u>1-11-22</u> |

APPENDIX II-K

COVER SHEET FOR EMERGENCY RULE

Document Number 13234 Rule Number Nuh 401.01 (b) intro. + (b) (8).

1. Agency Name & Address:
Board of Nursing Home Administrators
c/o The Office of Professional Licensure and Certification
7 Eagle Square
Concord New Hampshire 03301

2. RSA Authority: RSA 151-A: 4-a, VI.

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Amendment X

Repeal _____

5. Date of Filing: July 15, 2021

6. Short Title: Nursing Home Administrators Continuing Education Hours

7. Contact person for copies and questions:

Name: Victoria Davies

Title: Board Administrator

Address: The Office of Professional Licensure and Certification
7 Eagle Square
Concord New Hampshire 03301

Phone #: 603-271-6930

Fax#: _____

E-mail: Victoria.M.Davies@oplcnh.gov

****PLEASE ATTACH THE FOLLOWING**, numbered to correspond to the numbers on this sheet (a separate sheet is not required for every item):

8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.

9. A summary of the effect if the rule were not adopted.

10. A description of those affected.

***PLEASE SUBMIT 2 COPIES OF THIS COVER SHEET** and all attachments along with 2 copies of the emergency rule to the Office of Legislative Services, Administrative Rules.

****PLEASE SIGN THE FOLLOWING:**

I, the adopting authority,* hereby certify that the attached is an accurate statement explaining why an emergency rule is necessary.

Date: 7/15/2021

Signature: Ted J. Purdy

Name: Ted J. Purdy

Title: Chair, NHA Board of Examiners

*("Adopting authority" is the official empowered by statute to adopt the rule, or a member of the group of individuals empowered by statute to adopt the rule.)

8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.

Nuh 401.01 establishes the continuing education requirements that must be demonstrated by nursing home administrators to obtain license renewal. Applicants must complete 40 clock hours of continuing education.

The COVID-19 pandemic necessarily caused cancellation of continuing education programs. The State of Emergency ended on June 12, 2021; however, continuing education programs remain largely unavailable. The Emergency Rule will reduce the 40 clock hour requirement to 20 clock hours.

Without the enactment of this emergency rule, nursing home administrators for whom renewal is due within the next six months will be unable to obtain sufficient clock hours of continuing education to qualify for renewal. This will result in a large proportion of nursing home administrators no longer being able to perform their essential roles, creating an immediate peril to public health and safety.

On June 9, 2021 the New Hampshire Board of Nursing Home Administrators voted unanimously to approve an Emergency Rule to be in affect starting July 15, 2021, that would allow the Board/Office of Professional Licensure and Certification to accept 20 clock hours of continuing education.

9. A summary of the effect if the rule were not adopted.

There already exists a shortage of nursing home administrators in New Hampshire due to the COVID-19 pandemic. As indicated above, if this emergency rule was not adopted, numerous nursing homes would no longer have practicing administrators.

10. A description of those affected.

The rule affects nursing home administrators, as well as their staff, patients, and the families of patients.

Doc. # 13234 (eff. 7-15-21)
Emergency Rule Expires: 1-11-22

Emergency Rule 06/09/2021

CHAPTER Nuh 400 CONTINUED STATUS

PART Nuh 401 REGISTRATION AND RENEWAL

Amend Nuh 401.01(b) (2), effective 12/16/2017 (Document #12436), so that Nuh 401.01 (b) intro. and (b) (2) are cited and read as follows:

Nuh 401.01 Renewal of Registration

(b) Such renewal application shall consist of:

(2) Attested documentation of the completion of a minimum of 4020 clock hours of continuing education in subjects related to nursing home administration in the 2 years which immediately precede the application for renewal of license;

APPENDIX

| RULE | STATE OR FEDERAL STATUTE THE RULE IMPLEMENTS |
|----------------------------------|--|
| Nuh 401.01 (b) intro. + (b) (2). | RSA 151-A:4-a, RSA 541-A:18 |