

## SUBCHAPTER 37 – BOARD OF NURSING HOME ADMINISTRATORS

### SECTION .0100 – GENERAL PROVISIONS

#### 21 NCAC 37E .0101 APPLICATION PROCESS

(a) The Board may issue a license to a nursing home administrator who holds a nursing home administrator license issued by the licensing authorities of any other state, upon payment of the current licensing fee, successful completion of the state examination, and submission of evidence to the Board that the applicant for licensure:

- (1) has personal qualifications, education, training, and experience substantially equivalent to those required in this state;
- (2) holds a valid active license as a nursing home administrator in the state from which he or she is transferring; and
- (3) shall appear before the Board for a personal interview.

(b) If the applicant for reciprocity does not submit the information required by Subparagraph (a)(1) of this Rule, but is otherwise qualified for licensure in North Carolina, the Board shall issue a temporary reciprocal license that will allow the applicant to practice in one nursing home designated by the applicant at the time of issuance for six months provided that the applicant agrees to the following conditions:

- (1) within one month prior to the expiration of the temporary reciprocal license, submission of a statement that the temporary licensee has administered the nursing home in a manner satisfactory to the nursing home owner or representative of the owner; and
- (2) completion of continuing education course(s) that the Board may require as a condition of issuance of a temporary reciprocal license, if the applicant does not possess education substantially equivalent to the qualifications required by this state.

(c) If a temporary reciprocal license is issued pursuant to Paragraph (b) of this Rule and the applicant notifies the Board prior to the expiration of the six-month term that the circumstances have changed such that the applicant cannot comply with the conditions imposed in Paragraph (b) of this Rule, the Board may extend the temporary reciprocal license for an additional period not to exceed six months upon consideration of the following:

- (1) the period of extension requested;
- (2) the extent of control the applicant had over the situation causing the request for extension;
- (3) the applicant's good faith effort at compliance with the original term imposed; and
- (4) any issues arising during the term of the applicant at the facility identified during a survey conducted by the Division of Health Service Regulation or a federal surveying agency.

*History Note:* Authority G.S. 90-278; 90-280; 90-285; 90-287;  
Eff. February 1, 1976;  
Readopted Eff. December 15, 1977;  
Amended Eff. February 1, 1980;  
Readopted Eff. October 1, 1981;  
Amended Eff. August 1, 1995; August 2, 1993; February 1, 1991; May 1, 1989;  
Transferred and Recodified from 21 NCAC 37A .0912(a) Eff. April 1, 1996;  
Amended Eff. July 1, 2004; July 1, 2000; April 1, 1996;  
Readopted Eff. October 1, 2015.

#### 21 NCAC 37E .0102 APPLICATION CONTENTS

An applicant for reciprocity endorsement shall submit the following items that shall be received by the Board three weeks prior to the next scheduled Board Meeting posted on the Board's website:

- (1) a completed application;
- (2) a resume;
- (3) certified college transcript(s);
- (4) three reference forms (one employer and two character) located on the Board's website as set forth in Rule 21 NCAC 37D .0203:
  - (a) the Employer Reference Form shall include the address of employment and duties assigned; and
  - (b) the Character Reference Form shall include how the individual knows the applicant and whether the applicant is capable of supervising the care of residents of a skilled facility. No character reference shall be from a relative of the applicant.

- (5) a licensing questionnaire(s) from every state where the applicant held a license. The questionnaire is available on the Board's website;
- (6) a non-refundable processing fee of three hundred dollars (\$300.00); and
- (7) a fingerprint card, necessary forms, and required fee for criminal background check. The forms and fees for the criminal background check is available in the Board office and on the Board's website.

*History Note:* Authority G.S. 90-280; 90-285; 90-287; 90-288.01;  
Eff. February 1, 1976;  
Readopted Eff. December 15, 1977;  
Amended Eff. February 1, 1980;  
Readopted Eff. October 1, 1981;  
Amended Eff. August 1, 1995; August 2, 1993; February 1, 1991; May 1, 1989;  
Transferred and Recodified from 21 NCAC 37A .0912(b) Eff. April 1, 1996;  
Amended Eff. April 1, 1996;  
Temporary Amendment Eff. August 15, 1999;  
Amended Eff. July 1, 2014; July 1, 2004; July 1, 2000;  
Readopted Eff. October 1, 2015;  
Amended Eff. January 1, 2021.

### **21 NCAC 37E .0103 DENIAL AND REVOCATION**

The Board shall have the power, after due notice and an opportunity to be heard at a hearing, to revoke or suspend the nursing home administrator license issued to any person under this Rule upon evidence satisfactory to the Board that the duly constituted authorities of any other state have lawfully revoked or suspended the nursing home administrator license issued to such person by such state.

*History Note:* Authority G.S. 90-280; 90-285; 90-287;  
Eff. February 1, 1976;  
Readopted Eff. December 15, 1977;  
Amended Eff. February 1, 1980;  
Readopted Eff. October 1, 1981;  
Amended Eff. August 1, 1995; August 2, 1993; February 1, 1991; May 1, 1989;  
Transferred and Recodified from 21 NCAC 37A .0912(c) Eff. April 1, 1996;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 22, 2014.