

## Chapter NHA 5

### STANDARDS OF CONDUCT

#### NHA 5.02 Unprofessional conduct.

**Note:** Chapter NHA 5 as it existed on June 30, 1980 was repealed and a new chapter NHA 5 was created effective July 1, 1980.

**NHA 5.02 Unprofessional conduct.** The following conduct, without limitation because of enumeration, constitutes unfitness to practice as a nursing home administrator:

- (1) Violating in a negligent manner, by an act or acts of omission or commission, or aiding or abetting the violation of any law substantially relating to the practice of nursing home administration;
- (2) Practicing in a manner which substantially departs from the standard of care ordinarily exercised by a nursing home administrator which harms or could have harmed a patient;
- (3) Practicing while impaired by physical, mental or emotional disorder or drug or alcohol abuse;
- (4) Intentionally falsifying patient records;
- (5) Failing to report to the board any practice by a licensee that constitutes a consistent danger to the health, welfare, or safety of patient or public;
- (6) Engaging in any practice as a nursing home administrator which constitutes a substantial danger to the health, welfare, or safety of patient or public;
- (7) Refusing to render services to a person because of race, color, sex, religion, or age;
- (8) Obtaining or attempting to obtain any compensation by fraud;
- (9) Impersonating another nursing home administrator;
- (10) Advertising in a manner which is false, deceptive, or misleading;
- (11) Exercising undue influence on or taking unfair advantage of a patient;
- (12) Committing or aiding or abetting the commission of rebate or fee-splitting arrangements with health care providers;
- (13) Having one's license revoked or suspended in another state or United States jurisdiction; or,
- (14) Violating or attempting to violate any formal disciplinary order of the board.
- (15) Intentionally providing false information to the board in connection with an application for a license or for renewal of a license.

**History:** Cr. Register, June, 1980, No. 294, eff. 7-1-80; am. (3) and (12), Register, September, 1997, No. 501, eff. 10-1-97; CR 01-101: cr. (15), Register February 2002 No. 554, eff. 3-1-02.