

## Chapter NHA 5 STANDARDS OF CONDUCT

NHA 5.02 Unprofessional conduct.

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**Note:** Chapter NHA 5 as it existed on June 30, 1980 was repealed and a new chapter NHA 5 was created effective July 1, 1980.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