

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

NHA 2,3,4

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3. Subject

Entrance to exams

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

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5. Chapter 20, Stats. Appropriations Affected

20.165 (1)(g)

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6. Fiscal Effect of Implementing the Rule

No Fiscal Effect       Increase Existing Revenues       Increase Costs  
 Indeterminate       Decrease Existing Revenues       Could Absorb Within Agency's Budget  
 Decrease Cost

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7. The Rule Will Impact the Following (Check All That Apply)

State's Economy       Specific Businesses/Sectors  
 Local Government Units       Public Utility Rate Payers  
 Small Businesses (if checked, complete Attachment A)

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes       No

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9. Policy Problem Addressed by the Rule

The proposed rule addresses a change in policy due to the passage of 2013 Wisconsin Act 114. The Act requires that the Department of Safety and Professional Services and its attached boards allow applicants to take their credentialing exam before completing any post-secondary education. Currently, Wis. Admin. Code s. NHA 2.02 requires completion of a regular course of study, a program of study, or specialized courses before being allowed to take the exam. This proposed rule will bring current Nursing Home Administrator regulations in line with Act 114.

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

The rule was posted on the Department of Safety and Professional Service's website for 14 days in order to solicit comments from businesses, associations representing businesses, local governmental units and individuals that may be affected by the rule. No comments were received.

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11. Identify the local governmental units that participated in the development of this EIA.

No local governmental units participated in the development of this EIA.

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12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This proposed rule will have minimal or no economic or fiscal impact on specific businesses, business sectors, and public utility rate payers, local governmental units or the state's economy as a whole.

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13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit of implementing the rule is creating consistency between statutes and the administrative code. There are no other viable alternatives to the proposed rule due to the change in policy being brought about by the passage of 2013 Wisconsin Act 114.

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14. Long Range Implications of Implementing the Rule

The long range implication of implementing the rule includes removing undue delays in licensure by allowing applicants to take credentialing exams as soon as they are ready to enter their chosen profession.

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15. Compare With Approaches Being Used by Federal Government

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42 USCS § 1396g sets forth the federal requirements for licensure of nursing home administrators. The statute states it is the function and duty of state agencies to, “develop, impose, and enforce standards which must be met by individuals in order to receive a license as a nursing home administrator...” 42 USCS § 1396g (c) (1). This proposed rule institutes a new standard with regard to nursing home administrator examination requirements. By instituting this new standard, the Nursing Home Administrator Examining Board is in line with 42 USCS § 1396g (c) (1) which allows state agencies to regulate licensed nursing home administrators.

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16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

**Illinois:** Nursing Home administrators are regulated by the Illinois Department of Financial and Professional Regulation via the Nursing Home Administrators Licensing and Disciplinary Act, 225 ILCS 70. Illinois requires applicants for a license as a nursing home administrator to be either a graduate of a college or university or to have completed a course of instruction regarding the operation of nursing homes that is approved by the Department. 225 ILCS 70/8 (e).

**Iowa:** Nursing home administrators in Iowa are regulated by the Iowa Board of Nursing Home Administrators in the Bureau of Professional Licensure in the Iowa Department of Public Health. Applicants must take the approved national examination to be eligible for licensure. 645 IAC 141.2.

**Michigan:** Licensure as a nursing home administrator in Michigan requires either having sufficient education and training in the fields of study set forth in statute, or having experience of not less than 5 years of employment as a chief executive or administrative officer at a hospital. MCLS 333.17309 (3).

**Minnesota:** The Board of Examiners for Nursing Home Administrators of the Minnesota Health Licensing Board regulates nursing home administrators in Minnesota. Minnesota requires applicants for nursing home administrator licensure to obtain a bachelor’s degree from an accredited postsecondary institution as well as passing the national examination for nursing home administrator and the state examination which test Minnesota laws and rules governing nursing facility operations. Minn. R. 6400.6000.

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18. Contact Phone Number

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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes     No
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