

Chapter NHA 1

DEFINITIONS, DUTIES

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NHA 1.01 Source of authority; title. The rules and regulations herein contained constitute, comprise and shall be known as the rules and regulations of the nursing home administrator examining board of the state of Wisconsin, and are hereby promulgated pursuant to the authority granted to, and imposed upon the said board under and pursuant to the provisions of the state licensing statute, chapter 456, Wis. Stats.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73.

NHA 1.02 General definitions. Whenever used in these rules and regulations, unless expressly otherwise stated, or unless the context or subject matter requires a different meaning, the following terms shall have the respective meanings hereinafter set forth or indicated:

(1) "Board" means the nursing home administrator examining board of the state of Wisconsin.

(2) "Nursing home administrator" means any individual or individuals responsible for planning, organizing, directing and controlling the operation of a nursing home, or who in fact performs such functions, whether or not such functions are shared by one or more other persons, or acts as the designated administrative agent for the responsible individual or individuals.

(3) "Assistant administrator" means a designated individual licensed as an administrator who is regularly in charge of the facility during the absence of the nursing home administrator and who assumes responsibility for the total operation of the facility during such periods.

(4) "Provisional license" is a temporary license issued to a nursing home administrator under chapter 456, Wis. Stats.

(5) "Preliminary license" is a temporary license issued by the board to applicants who do not meet the standards set forth in the unassembled examination.

(6) "Practice of nursing home administration" means the planning, organizing, directing and control of the operation of a nursing home.

(7) "Provisional nursing home administrator" means an individual who has been licensed as such under chapter 456, Wis. Stats.

(8) "Regular license" is a full license issued to applicants who meet all the standards set by the board.

(9) "Nursing home" has the same meaning as the term nursing home or medical institution under section 146.30, Wis. Stats., and includes all public medical institutions under sections 49.14, 49.16, and 49.171, Wis. Stats.

(10) "Individual" means a person and does not include the terms firm, corporation, association, partnership, institution, public body, joint stock association, or any other group of individuals.

(11) "Administrator-in-training" means an individual registered as such with the board, under and pursuant to the laws of Wisconsin and these regulations.

(12) "Preceptor" means an individual registered as such with the board.

(13) "Advisory council" means the body representative of the health professions and the public as provided in section 456.02 (8), Wis. Stats.

(14) "Unassembled examination" is the examination used for the initial licensing period.

(15) "Examination" is the examination used after the initial licensing period.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73.

NHA 1.03 Licensed administrator required. (1) Nursing home administrators and assistant nursing home administrators shall be licensed in accordance with the provisions of chapter 456, Wis. Stats.

(2) Persons employed as area or district supervisor involving supervision of 2 or more licensed administrators shall be licensed under the provision of chapter 456, Wis. Stats.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73.

NHA 1.04 Board; meetings. (1) The board shall meet at least quarterly.

(2) The chairman, or other presiding officer of the board, may call special meetings thereof when, in his judgment, circumstances or functioning of the board require it.

(3) Upon written petition of 3 voting members of the board, to the secretary, a special meeting of the board must be called within 30 days. Two weeks notification in advance of such special meeting is required.

(4) The presence of 5 voting members of the board constitutes a quorum for transacting official business at regular or special meeting.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73.

NHA 1.05 Board; general powers. (1) The board shall exercise such powers as provided by the laws of the state of Wisconsin pertaining to the licensing and registration of nursing home administrators.

(2) The board shall make and publish such rules and regulations not inconsistent with law as it may deem necessary and proper for the execution and enforcement of the laws governing the licensing and registration of nursing home administrators.

(3) The board shall exercise quasi-judicial powers not inconsistent with law, including the power to issue subpoenas; compel the attendance of witnesses, and administer oaths.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73.

NHA 1.06 Board; officers and duties. (1) The board shall elect annually from among its members a chairman, vice-chairman and secretary. The board may employ an executive secretary who may be a member of the board.

(a) The chairman shall preside at all meetings of the board and shall sign all official documents of the board. In the absence of the

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chairman, the vice-chairman shall preside and perform all duties normally the responsibility of the chairman.

(b) In the absence of the chairman and vice-chairman at any meeting where a quorum of members are present, the secretary shall call the meeting to order, at which time a temporary chairman will be elected for the purpose of temporarily assuming the duties and responsibilities of the regular chairman. This responsibility shall cease upon adjournment of the meeting.

(2) The board secretary shall countersign all licenses and certificates of registration and official certificates of approval and certification issued by the board.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73.