BOARD OF EXAMINERS OF NURSING CARE INSTITUTION ADMINISTRATORS AND ASSISTED LIVING FACILITY MANAGERS

Katie Hobbs
Governor

1740 W Adams Suit 2490 Phoenix, Arizona
85007 (602)364-2374 phone
Email: information@aznciaboard.us Website:
www.nciaboard.az.gov

Jack Confer
Executive Director

1. This email is being sent per your request for how to start an Administrator License Application

2. Go to www.aznciaboard.us (DO NOT USE A MOBILE PHONE OR A TABLET) and choose e-licensing (elicense.az.gov)

3. Click on open your account, click on the correct choice:
   a. I have a license
   b. I don't have a license

4. You must sign into the e-license portal, fill out the application and upload the required documents. This information is attached. Any required information that is not provided will delay the application process.

5. We do not provide a paper application and the license can only be competed in the e-licensing format.

6. Board staff cannot interpret the application or rules for you.

Due to the current software constraints, we are not able to view heic to jpg downloads or any photos sent.

Have the following items scanned and ready to download into your application.

1. Passport style photograph
2. Verification of licensing from other licensing agencies
3. Official educational institution transcripts
4. AIT Program Completion Documentation or ACHCA Certification (if applicable)
5. Character Certification #1
6. Character Certification #2
7. Completed Statement of Citizenship Form and Photo ID
8. Fingerprint Clearance Card- front and back

Character Certification

Applicant: _____
Last Name First Name Middle

Certifier:

The above-named individual has applied for an Arizona Nursing Care Institution Administrator License or an Assisted Living Facility Manager Certificate. Use the "Recommendation" section below for comments pertinent, to the character and suitability of this applicant to practice in the profession. Please complete **ALL** areas below and return this certificate to:

Arizona State Board of Examiners of
Nursing Care Institution Administrators and Assisted Living Facility Managers
1740 W Adams, Suite 2490
Phoenix, AZ 85007

Are you related to the applicant? Yes_____No_____
Are you the applicant's employer? Yes_____No_____
Is the applicant your employer? Yes_____No_____
Number of years acquainted with applicant? _____Years

(If the answer is "Yes" to any of the above questions, or have knowns the applicant for less than 3 years you do not qualify as a certifier)

I certify that I am personally acquainted with the applicant named above and believe their moral character and suitability is appropriate to be an Arizona Nursing Institution Administrator or Assisted Living Facility Manager.

RECOMMENDATION: (please write why you recommend this person for this license)

_____
_____
_____
_____
_____
_____
_____

_____ _____
Signature of Certifier How acquainted

_____ _____
Printed Name of Certifier Telephone number

_____ _____
Date Signed Street address

ARIZONA STATEMENT OF CITIZENSHIP AND ALIEN STATUS FOR STATE PUBLIC BENEFITS

Professional License and Commercial License

Arizona Board of Nursing Care Institution Administrators and Assisted Living Facility Managers

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrants, and certain aliens paroled into the United States are eligible to receive state or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 41-1080 requires, in general, that a person applying for a license must submit documentation to the licensing agency that satisfactory demonstrates the applicant's presence in the United States is authorized under federal law.

- Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must complete Section III.
- Submit this completed form and a copy of one or more document(s) from the attached "Evidence of U.S. Citizenship, U.S. National Status, or Alien Status" with your application for license or renewal.
- **If the document you submit does not contain a photograph, you must also provide a government issued document that contains your photograph.**
- **You must submit supporting legal documents (i.e. marriage certificate) if the name on your evidence is no the same as your current legal name.**

SECTION I – APPLICANT INFORMATION

APPLICANTS NAME (Print or Type) _____DATE_____

TYPE OF LICENSE APPLYING FOR: _____

SECTION II – CITIZENSHIP OR NATIONAL STATUS DECLARATION

A. Are you a citizen or national of the United States ☐ **Yes** ☐ **No**

B. If **Yes**, indicate place of birth:

City_____ State (or equivalent) _____ Country or Territory_____

C. If you answered **Yes**:

1) Attach a legible copy of a document from the attached list.

   Name of document_____

2) Go to Section IV.

D. If you answered **No**, you must complete Section III and IV

SECTION III – ALIEN STATUS DECLARATION

Directions: To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of the front and back of a document from the attached List B or other document that evidences your status. A.R.S. § 1-501. Name of document provided:

"Qualified Alien" Status (8 U.S.C. §§ 1621(a)(1). -1641(b) and (c))

- ☐ 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA).
- ☐ 2. An alien who is granted asylum under Section 208 of the INA.
- ☐ 3. A refugee admitted to the United States under Section 207 of the INA.
- ☐ 4. An alien paroled into the Unites States for <u>at least one year</u> under Section 212(d)(5) of the INA.
- ☐ 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- ☐ 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- ☐ 7. An alien who is a Cuban and Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980).
- ☐ 8. An alien who is, or whose child or child's parent is a "battered alien" or an alien subject to extreme cruelty in the United States.

Nonimmigrant status (8 U.S.C. § 1621(a)(2))

- ☐ 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C. § 1101 et seq.] Nonimmigrants are persons who have temporary status for a specific purpose. See 8 U.S.C. § 1101(a)(15).

Alien Paroled into the United States for Less Than One Year (8 U.S.C. § 1621(a)(3))

- ☐ 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA.

Other persons (8 U.S.C. § 1621(c)(2)(A) and (C)

- ☐ 11. A nonimmigrant whose visa for entry is related to employment in the United States, or
- ☐ 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 *et seq*.];
- ☐ 13. A foreign national not physically present in the United States.

Otherwise Lawfully Present (A.R.S. § 1-501)

- ☐ 14. A person not described in categories 1-13 who is otherwise lawfully present in the United States. PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C. § 1621(a)

SECTION IV–DECLARATION

All applicants must compete this section. I declare under penalty of perjury under the laws of the state of Arizona that the answers I have given are true and correct to the best of my knowledge.

_____ _____

APPLICANT'S SIGNATURE TODAY'S DATE

ARTICLE 2.

NURSING CARE INSTITUTION ADMINISTRATOR LICENSING

R4-33-201 Requirements for Initial License by Examination

To be eligible to receive an initial license by examination as a nursing care institution administrator, an individual shall:

1. Education and training.
   a. Hold a minimum of a baccalaureate degree from an accredited college or university and successfully complete an AIT program;
   b. Hold a minimum of a master's degree in either a health-related field or business administration from an accredited college or university; or
   c. Hold a minimum of an associate of arts degree in nursing from an accredited college or university and:
      i. Be currently licensed as a registered nurse under A.R.S. § 32-1632,
      ii. Have worked as a registered nurse for five of the last seven years, and
      iii. Successfully complete an AIT program.
2. Examination.
   a. Obtain the scaled passing scores on both the NAB core of knowledge and line of service examinations or qualify with NAB as a Health Services Executive, and
   b. Obtain a score of at least 80 percent on the Arizona examination;
3. Fingerprint clearance card. Have a valid fingerprint clearance card issued under A.R.S. Title 41, Chapter 12, Article 3.1; and
4. Application. Submit all applicable information required under R4-33-204.

R4-33-202. Requirements for Initial License by Reciprocity

To be eligible for an initial license by reciprocity as a nursing care institution administrator, an individual shall:

1. Substantially equivalent educational requirement.
   a. Hold a minimum of a baccalaureate degree from an accredited college or university, or
   b. Hold ACHCA certification;
2. Substantially equivalent examination requirement.
   a. Hold a valid and current license as a nursing care institution administrator.
      i Issued at least two years ago
      ii Issured by a state or territory, and
      iii Obtained by passing the NAB examination; or
   b. Have evidence of qualification by NAB as a Health Services Executive; and
   c. Obtain a score of at least 80 percent on the Arizona examination;
3. Never have had a nursing care administrator license suspended, revoked, or otherwise restricted by any state or territory;
4. Fingerprint clearance card. Have a valid fingerprint clearance card issued under A.R.S. Title 41, Chapter 12, Article 3.1; and
5. Application.
   a. Submit all applicable information required under R4-33-204,
   b. Have submitted directly to the Board a certified copy of the valid and current license issued by a state or territory, and
   c. Have submitted directly to the Board by NAB:
      i The examination score referenced under subsection (2)(a), or
      ii Evidence of qualification as a Health Services Executive.

R4-33-203. Requirements for Temporary License

A. To be eligible for a temporary license as a nursing care institution administrator, an individual shall:

1. Meet the requirements specified in R4-33-201 or R4-33-202 except for the requirement at R4-33-201(2) or R4-33-202(2)(c);

2. Have the owner of an a nursing care institution that intends to appoint the applicant as administrator if the applicant is successful in obtaining a temporary license submit to the Board a Letter of Intent to Appoint on a form that is available from the Board. The owner of the nursing care institution shall include the following in the Letter of Intent to Appoint:
   a. Name of the owner of the nursing care institution;
   b. Name and address of the nursing care institution;
   c. Name of the applicant;
   d. An affirmation of intent to appoint the applicant;
   e. Reason for requesting a temporary license for the applicant;
   f. License number of the nursing care institution; and
   g. Signature of the owner of the nursing care institution affirming the information provided is true and complete;
3. Not have held an Arizona temporary license as a nursing care institution administrator within the past three years; and
4. Not have failed the Arizona or NAB examination before applying for a temporary license.

B. At the Board's request, an applicant for a temporary license shall appear or be available by telephone for an interview with the Board.

C. A temporary license is valid for 150 days and is not renewable. Before expiration of the temporary license, the temporary licensee shall become licensed under A.R.S. § 36-446.04 and this Article or discontinue as administrator of the nursing care institution.

D. If a temporary licensee fails the Arizona or NAB examination during the term of the temporary license, the temporary license is automatically revoked and the former licensee shall discontinue as administrator of the nursing care institution.

R4-33-204. Initial Application

A. An individual who desires to be licensed as a nursing care institution administrator shall submit the following information to the Board on an application form, which is available from the Board:
1. Full name of the applicant;
2. Other names that the applicant has used;
3. Mailing address of the applicant;
4. E-mail address of the applicant
5. Home, work, and mobile telephone numbers of the applicant;
6. Applicant's date and place of birth;
7. Applicant's Social Security number;
8. Address of every residence at which the applicant has lived in the last five years;
9. Name and address of every accredited college or university attended, dates of attendance, date of graduation, and degree or certificate received;
10. Information regarding professional licenses or certifications currently or previously held by the applicant, including:
    a. Name of issuing agency;
    b. License or certificate number;
    c. Issuing jurisdiction;
    d. Date on which the license or certificate was first issued;
    e. Whether the license or certificate is current; and
    f. Whether the license or certificate is in good standing and if not, an explanation;
11. Information regarding the applicant's employment record for the last five years, including:
    a. Name, address, and telephone number of each employer;
    b. Title of position held by the applicant;
    c. Name of applicant's supervisor;
    d. Dates of employment; and
    e. Reason for employment termination;
12. Whether the applicant was ever denied a professional license or certificate and if so, the kind of license or certificate denied, licensing authority making the denial, and date;
13. Whether the applicant ever voluntarily surrendered a professional license or certificate and if so, the kind of license or certificate surrendered, licensing authority, date, and reason for the surrender;

14. Whether the applicant ever allowed a professional license or certificate to lapse and if so, the kind of license or certificate that lapsed, licensing authority, date, reason for lapse, and whether the license or certificate was reinstated;
15. Whether the applicant ever had a limitation imposed on a professional license or certificate and if so, the kind of license or certificate limited, licensing authority, date, nature of limitation, reason for limitation, and whether the limitation was removed;
16. Whether the applicant ever had a professional license or certificate suspended or revoked and if so, the kind of license or certificate suspended or revoked, licensing authority, date, and reason for the suspension or revocation;
17. Whether the applicant ever was subject to disciplinary action with regard to a professional license or certificate and if so, the kind of license or certificate involved, licensing authority, date, and reason for and nature of the disciplinary action;
18. Whether any unresolved complaint against the applicant is pending with a licensing authority, professional association, health care facility, or nursing care institution and if so, the nature of and where the complaint is pending;
19. Whether the applicant ever was charged with or convicted of a felony or a misdemeanor, other than a minor traffic violation, in any court and if so, the nature of the offense, jurisdiction, and date of discharge; and
20. Whether the applicant ever was pardoned from or had expunged the record of a felony conviction and if so, the nature of the offense, jurisdiction, and date of pardon or expunging.

B. In addition to the application form required under subsection (A), an applicant shall have the following submitted directly to the Board on the applicant's behalf:

1. Official transcript submitted by each accredited college or university attended by the applicant;
2. Verification of license that is signed, authenticated by seal or notarization, and submitted by each agency that ever issued a professional license to the applicant;
3. "Character Certification" form submitted by two individuals who have known the applicant for at least three years and are not related to, employed by, or employing the applicant; and
4. If the applicant is certified by ACHCA, verification of certification submitted by ACHCA;

C. In addition to complying with subsections (A) and (B), an applicant shall submit:

1. If the applicant completed an AIT program, a photocopy of the certificate issued upon completion;
2. For every felony or misdemeanor charge listed under subsection (A)(19), a copy of documents from the appropriate court showing the disposition of each charge;
3. For every felony or misdemeanor conviction listed under subsection (A)(19), a copy of documents from the appropriate court showing whether the applicant met all judicially imposed sentencing terms;
4. Full-faced photograph of the applicant taken within the last six months;
5. Fingerprint clearance card.
   a. Photocopy of the front and back of the applicant's fingerprint clearance card;
   b. Proof of submission of an application for a fingerprint clearance card; or
   c. If denied a fingerprint clearance card, proof that the applicant qualifies for a good-cause exception hearing under A.R.S. § 41-619.55;
6. Documentation, as described in A.R.S. § 41-1080(A), of U.S. citizenship or alien status indicating presence in the U.S. is authorized under federal law;
7. Signed and notarized affidavit affirming that the information provided in the application is true and complete and authorizing others to release information regarding the applicant to the Board; and
8. Fees required under R4-33-104(A)(1) and (A)(2).

D. If required by the Board under A.R.S. § 36-446.03(D), an applicant shall appear before the Board.

E. When the information required under subsections (A) through (C) is received and following an appearance before the Board required under subsection (D), the Board shall provide notice regarding whether the applicant may take the licensing examinations required under R4-33-201 or R4-33-202.

F. Because of the time required for the Board to perform an administrative completeness review under R4-33-103, an applicant shall ensure the information required under subsections (A) through (C) is submitted at least 30 days before the applicant expects to take the Arizona examination.

R4-33-205. Administration of Examinations; License Issuance

A. The Board shall administer the Arizona examination at least twice each year at times and places specified by the Board.

B. An applicant shall make arrangements directly with NAB to take the NAB examination.

C. The Board shall provide written notice to an applicant regarding whether the applicant passed a required examination.

D. An applicant for licensure under R4-33-201 is not required to take or pass both examinations at the same time. An applicant who passes one of the examinations listed in R4-33-201(2) but fails the other is required to retake only the examination failed.

E. When an applicant passes the examinations required under R4-33-201 or R4-33-202, the Board shall send the applicant a written notice that the Board will issue a license to the applicant when the applicant submits to the Board the fee required under R4-33-104(A)(4). If the applicant fails to submit the fee within six months of the Board's notice, the Board shall administratively close the applicant's file. An individual whose file is administratively closed may receive further consideration only by submitting a new application under R4-33-201 or R4-33-202.

R4-33-206. Renewal Application

A. The Board shall provide a licensee with notice of the need for license renewal. Failure to receive notice of the need for license renewal does not excuse a licensee's failure to renew timely.

B. An administrator license expires at midnight on June 30 of each even-numbered year.

C. To renew an administrator license, the licensee shall submit the following information to the Board, on or before June 30, on a renewal application, which is available from the Board:

1. Current address;
2. Current e-mail address
3. Current home and business telephone numbers;
4. Whether within the last 24 months the licensee was convicted of or pled guilty or no contest to a criminal offense, other than a minor traffic violation, in any court and if so, attach a copy of the original arrest record and final court judgment;
5. Whether within the last 24 months the licensee was denied a professional license or had a professional license revoked, suspended, placed on probation, limited, or restricted in any way by a state or federal regulatory authority and if so, the kind of license, license number, issuing authority, nature of the regulatory action, and date;
6. An affirmation that the number of hours of continuing education required under R4-33-501 has been completed; and
7. The licensee's dated signature affirming that the information provided is true and complete.

D. In addition to the renewal application required under subsection (C), a licensee shall submit:

1. A photocopy of the front and back of the licensee's fingerprint clearance card;
2. Documentation described in A.R.S. § 41-1080(A) unless the documentation previously submitted under R4-33-204(C)(6) established U.S. citizenship or was a non-expiring work authorization issued by the federal government; and
3. The license renewal fee required under R4-33-104.

E. An individual whose license expires because of failure to renew timely may apply for renewal by complying with subsections (C) and (D) if:

1. The individual complies with subsections (C) and (D) on or before July 31;
2. The individual pays the late renewal fee prescribed under R4-33-104; and
3. The individual affirms the individual has not acted as a nursing care institution administrator since the license expired.

F. An individual whose license expires because of failure to renew timely and who does not comply with subsection (E) may become licensed as a nursing care institution administrator only by complying with R4-33-201 or R4-33-202.

R4-33-207. Inactive Status

A. The Board shall place an administrator's license on inactive status if the administrator:
1. Is in good standing in Arizona,
2. Submits a written request to the Board to be placed on inactive status, and
3. Submits evidence that complies with R4-33-501(D) showing that the administrator completed two hours of continuing education for each month in the current biennial period before the request to be placed on inactive status.

B. Within seven days after receiving a request to be placed on inactive status, the Board shall provide the administrator written confirmation of inactive status.

C. An administrator whose license is on inactive status is not required to comply with R4-33-501.

D. An inactive license expires under R4-33-206 unless the administrator timely submits a renewal application and the fee required under R4-33-104(A)(7).

E. To resume active licensure status, an administrator shall:
1. Submit evidence that complies with R4-33-501(D) showing that the administrator completed 25 hours of continuing education within the six months before requesting to resume active licensure status, and
2. Submit a written request to the Board to resume active licensure status.

F. The Board shall grant a request to resume active licensure status if the requirements of subsection (E) are met. Within seven days after receiving the written request to resume active licensure status, the Board shall send written notice to the administrator granting or denying active status.

R4-33-208. Standards of Conduct; Disciplinary Action

A. An administrator shall know and comply with all federal and state laws applicable to operation of a nursing care institution.

B. An administrator shall not:
1. Engage in unprofessional conduct as defined at A.R.S. § 36-446;
2. Be addicted to or dependent on the use of narcotics or other drugs, including alcohol;
3. Directly or indirectly permit an owner, officer, or employee of a nursing care institution to solicit, offer, or receive any premium, rebate, or other valuable consideration in connection with furnishing goods or services to patients of the institution unless the resulting economic benefit is directly passed to the patients;
4. Directly or indirectly permit an owner, officer, or employee of a nursing care institution to solicit, offer, or receive any premium, rebate, or other valuable consideration for referring a patient to another person or place unless the resulting economic benefit is directly passed to the patient;
5. Willfully permit the unauthorized disclosure of information relating to a patient or a patient's records;
6. Discriminate against a patient or employee on the basis of race, sex, age, religion, disability, or national origin;
7. Misrepresent the administrator's qualifications, education, or experience;
8. Aid or abet another person to misrepresent that person's qualifications, education, or experience;
9. Defend, support, or ignore unethical conduct of an employee, owner, or other administrator;
10. Engage in any conduct or practice contrary to recognized community standards or ethics of a nursing care institution administrator;
11. Engage in any conduct or practice that is or might constitute incompetence, gross negligence, repeated negligence, or negligence that might constitute a danger to the health, welfare, or safety of a patient or the public;
12. Procure or attempt to procure by fraud or misrepresentation a license or renewal of a license as a nursing care institution administrator;
13. Violate a formal order, condition of probation, or stipulation issued by the Board;
14. Commit an act of sexual abuse, misconduct, harassment, or exploitation; or
15. Retaliate against any person who reports in good faith to the Board alleged incompetence or illegal or unethical conduct of any administrator.
16. Accept an appointment as administrator of a nursing care institution in violation of R4-33-212.

C. The Board shall consider a final judgment or conviction for a felony, an offense involving moral turpitude, or direct or indirect elder abuse as grounds for disciplinary action under A.R.S. § 36-446.07, including denial of a license or license renewal.

D. An administrator who violates any provision of A.R.S. Title 36, Chapter 4, Article 6 or this Chapter is subject to discipline under A.R.S. § 36-446.07.

R4-33-209. Renumbered

R4-33-210. Licensure following Revocation

An individual who wishes to be licensed after the individual's license as a nursing care institution administrator is revoked shall:

1. Not apply for licensure until at least 12 months have passed since the revocation; and
2. Apply for licensure under R4-33-201 or R4-33-202.

R4-33-211. Notice of Appointment

A. An administrator shall provide written notice to the Board, within 30 days, of being appointed administrator of a nursing care institution or terminating an appointment.

B. An administrator shall include the following, as applicable, in a notice regarding the administrator's appointment:

1. Administrator's name,
2. Administrator's license number,
3. Name and address of the nursing care institution to which the administrator is appointed,
4. Date of appointment,
5. Name and address of the nursing care institution at which the administrator's appointment is terminated, and
6. Date of termination.

R4-33-212. Appointment as Administrator of Multiple Nursing Care Institutions

A. Except as provided in subsection (B), an individual licensed under R4-33-201 or R4-33-202 shall not be appointed as administrator of more than one nursing care institution.

B. An individual licensed under R4-33-201 or R4-33-202 may be appointed as administrator of a second nursing care institution if:

1. Neither nursing care institution is operating under a provisional license;
2. The two nursing care institutions are no more than 25 miles apart; and
3. The appointment at the second institution is for no more than 90 days.

C. A licensed administrator who is appointed as administrator of a second nursing care institution under subsection (B) shall:

1. For both nursing care institutions, designate in writing an individual who is on the nursing care institution premises and accountable for the services provided at the nursing care institution when the licensed administrator is not on the nursing care institution premises. The designated individual shall:
   a. Be at least 21 years old;
   b. Be qualified through education and experience to fulfill the responsibilities of a nursing care institution administrator; and
   c. Never have had licensure or certification suspended or revoked by the Board;
2. Ensure that the name of the designated individual is conspicuously displayed at all times in a manner that informs those seeking assistance who is accountable for the services provided;
3. Place the written notice of designation required under subsection (C)(1) in the personnel file of the individual designated; and
4. Be available to the individual designated under subsection (C)(1) by telephone or electronically within 60 minutes.

R4-33-213. Repealed