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Sequence Number: 12-11-12
Rule ID(s): 5349
File Date: 12/13/12
Effective Date: 3/13/13

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing. T.C.A. § 4-5-205

Agency/Board/Commission:	Board of Examiners for Nursing Home Administrators
Division:	
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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
1020-01	General Rules Governing Nursing Home Administrators
Rule Number	Rule Title
1020-01-.06	Preceptors, Administrators-In-Training and Administrators-In-Training Programs
1020-01-.07	Qualifications for Licensure
1020-01-.08	Procedures for Licensure
1020-01-.11	Licensure Renewal

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Rule 1020-01-.06 Preceptors, Administrators-In-Training and Administrators-In-Training Programs is amended by deleting part (2)(a)3. and substituting the following language, so that as amended, the new part (2)(a)3. shall read:

3. hold an active, current and unrestricted license in another state as a Nursing Home Administrator and submit proof of successful completion of twenty-seven (27) clock hours of NAB-approved continuing education for every year the licensee practiced in another state while his/her Tennessee license was expired or retired. However, the continuing education hours required shall not exceed fifty-four (54) hours.

Authority: T.C.A. §§ 63-16-103 and 63-16-107.

Rule 1020-01-.07 Qualifications for Licensure is amended by deleting the introductory paragraph in its entirety and substituting instead the following language, so that as amended, the new introductory paragraph shall read:

1020-01-.07 Qualifications for Licensure. To practice as a nursing home administrator in Tennessee, a person must possess a license lawfully issued by the Board. Paragraphs (2) through (7) of this rule describe the six (6) categories to obtain licensure as a nursing home administrator. Combining requirements from different categories is not permitted, and will not constitute completion of licensure requirements. In addition to the requirements of this rule, all applicants, regardless of which category is used, must successfully complete the examinations required in Rule 1020-01-.10 Examinations.

Authority: T.C.A. §§ 63-16-103 and 63-16-104.

Rule 1020-01-.07 Qualifications for Licensure is amended by deleting paragraph (1) in its entirety and substituting instead the following language, so that as amended, the new paragraph (1) shall read:

- (1) "Acceptable Management Experience, (1)" as used in this rule, means the actual practice of health care facility administration in an inpatient health care facility with guidance and sharing of responsibility from the administrator and not related to the role of an administrative clerk. "Acceptable management experience" contemplates experience in all departments or areas of the facility, provided, however, the applicant is not required to have spent the entire five (5) years in the capacity of an assistant administrator. Responsible supervisory experience in various departments within the facility may be applied to meet the requirements of paragraph (6) of this rule, and the time spent in a board approved Administrator-In-Training (A.I.T.) program may also be counted toward these requirements. However, no more than two-thirds (2/3) of the required "acceptable management experience" can be obtained in any one area of the facility, e.g., in dietary, nursing, financial, etc.

Authority: T.C.A. §§ 63-16-103 and 63-16-104.

Rule 1020-01-.07 Qualifications for Licensure is amended by deleting paragraph (6) in its entirety and substituting instead the following language, so that as amended, the new paragraph (6) shall read:

- (6) Licensure by education and experience combined with an Administrator-In-Training (A.I.T.) program – An associate degree and five (5) years of acceptable management experience in a licensed long term care facility combined with a Board approved A.I.T. program of at least six (6) months is required.

Authority: T.C.A. §§ 63-16-103 and 63-16-104.

Rule 1020-01-.07 Qualifications for Licensure is amended by deleting paragraph (7) in its entirety, including its subparagraphs, and renumbering paragraph (8) and paragraph (9) accordingly as new paragraphs (7) and (8).

Authority: T.C.A. §§ 63-16-103 and 63-16-104.

Rule 1020-01-.07 Qualifications for Licensure is amended by deleting newly renumbered paragraph (7) in its entirety, including its subparagraphs, and substituting instead the following language, so that as amended, the newly renumbered paragraph (7), including its subparagraphs, shall read:

- (7) Licensure by reciprocity – An active license as a nursing home administrator in another state is required.
 - (a) An applicant must demonstrate to the Board's satisfaction a successful completion of requirements that are substantially equivalent to or exceed the requirements of paragraphs (2), (3), (4), (5), or (6) of this rule; or
 - (b) An applicant must demonstrate to the Board's satisfaction a successful completion of requirements that are substantially equivalent to or exceed the requirements for certification by the American College of Health Care Administrators.
 - (c) For those individuals applying for reciprocity, the Board may consider for licensure an individual working for a minimum of five (5) of the last seven (7) years as a licensed nursing home administrator in another state in lieu of a degree and/or in lieu of an A.I.T. program.

Authority: T.C.A. §§ 63-16-103, 63-16-104, and 63-16-109.

Rule 1020-01-.07 Qualifications for Licensure is amended by deleting newly renumbered paragraph (8) and newly renumbered subparagraph (8)(a) only and substituting instead the following language, so that as amended, the newly renumbered paragraph (8) and newly renumbered subparagraph (8)(a) only shall read:

- (8) An applicant who chooses to qualify for licensure by meeting the requirements of paragraphs (5) or (6) of this rule must obtain Board approval to begin the A.I.T. program.
 - (a) Successful completion of the A.I.T. program as governed by Rule 1020-01-.06 is a prerequisite to approval to take the licensure examination.

Authority: T.C.A. §§ 63-16-103 and 63-16-104.

Rule 1020-01-.08 Procedures for Licensure is amended by deleting paragraph (8) in its entirety and substituting instead the following language, so that as amended, the new paragraph (8) shall read:

- (8) If the applicant is applying for licensure as provided in paragraphs (3), (4), or (6) of Rule 1020-01-.07, a resume must be submitted with the application. The resume must state the dates of employment, the name of the facility, the job title, and the job duties.

Authority: T.C.A. §§ 63-16-103 and 63-16-104.

Rule 1020-01-.08 Procedures for Licensure is amended by deleting paragraph (9) in its entirety and substituting instead the following language, so that as amended, the new paragraph (9) shall read:

- (9) If the applicant is applying for licensure by reciprocity, as provided in paragraph (7) of Rule 1020-01-.07, he/she must submit directly to the Board Administrative Office from each state licensing board from which licensure has ever been issued documentation which indicates the applicant either holds a current active license and whether it is in good standing, or held a license which is currently inactive and whether it was in good standing at the time it became inactive. An active license as a nursing home administrator in another state is required for licensure by reciprocity.

Authority: T.C.A. §§ 63-16-103, 63-16-104 and 63-16-109.

Rule 1020-01-.11 Licensure Renewal is amended by deleting paragraph (4) in its entirety, including its subparagraphs, and substituting instead the following language, so that as amended, the new paragraph (4), including its subparagraphs, shall read:

- (4) Reinstatement of an Expired License. Reinstatement of a license that has expired may be accomplished upon meeting the following conditions:
 - (a) At the discretion of the Board, either appear before it or submit a notarized statement setting forth the cause for failure to renew;
 - (b) Payment of all past due Renewal Fees and State Regulatory Fees. This amount shall not exceed the equivalent of the renewal fee at the time the reinstatement application is submitted plus the state regulatory fee times two (2);
 - (c) Payment of the Late Renewal Fee provided in Rule 1020-01-.02(1)(d);
 - (d) Compliance with the continuing education requirements of Rule 1020-01-.12. The total number of hours of continuing education shall not exceed thirty-six (36) hours. However, for those individuals certified as a preceptor at the time the license expired, the total number of hours of continuing education required shall not exceed fifty-four (54) hours; and
 - (e) If expiration was a result of failure to comply with T.C.A. § 63-16-107(e) and Rule 1020-01-.14, submit documentation of successful completion of the conditions imposed by the Board as a result of any disciplinary action or settlement pursuant to Rule 1020-01-.14 or Rule 1020-01-.15.

Authority T.C.A. §§ 63-16-103 and 63-16-107.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Harold Walker	X				
Kathryn Wilhoit	X				
P. Elayne W. Poston	X				
Bandy P. Franks				X	
Stephen J. D'Amico, MD	X				
Diana L. Miller	X				
Craig Laman		X			
Emily Beaty				X	

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Board of Examiners for Nursing Home Administrators on 06/04/2012, and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 03/06/2012

Rulemaking Hearing(s) Conducted on: (add more dates). 06/04/2012

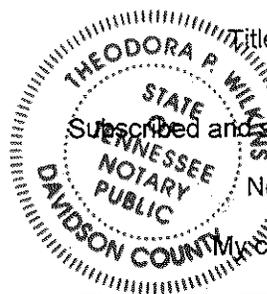
Date: July 10, 2012

Signature: [Signature]

Name of Officer: Diona E. Layden

Assistant General Counsel

Title of Officer: Tennessee Department of Health



Subscribed and sworn to before me on: 7/10/12

Notary Public Signature: Theodora P. Wilkins

My commission expires on: 11/3/15

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

[Signature]
 Robert E. Cooper, Jr.
 Attorney General and Reporter
12-9-12
 Date

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 FUNCTIONS

Filed with the Department of State on: 12/13/12

Effective on: 3/13/13

[Signature]
 Tre Hargett
 Secretary of State

Public Hearing Comments

One copy of a document containing responses to comments made at the public hearing must accompany the filing pursuant to T.C.A. § 4-5-222. Agencies shall include only their responses to public hearing comments, which can be summarized. No letters of inquiry from parties questioning the rule will be accepted. When no comments are received at the public hearing, the agency need only draft a memorandum stating such and include it with the Rulemaking Hearing Rule filing. Minutes of the meeting will not be accepted. Transcripts are not acceptable.

Board of Examiners for Nursing Home Administrators

Rulemaking Hearing – June 4, 2012

A verbal comment was received from Christopher Puri, Esq. representing Tennessee Health Care Association (THCA) relative to “pathway 6” for obtaining licensure. THCA would like to keep the years of experience needed at 3 as in the current rule instead of raising the needed experience to 5 years.

The Board made no change to the rule amendment.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process as described in T.C.A. § 4-5-202(a)(3) and T.C.A. § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

Regulatory Flexibility Analysis

- (1) The proposed rule amendments do not overlap, duplicate, or conflict with other federal, state, or local government rules.
- (2) The proposed rule amendments are clear, concise, and lack ambiguity.
- (3) The proposed rule amendments affect applicants seeking to become licensed nursing home administrators in Tennessee through initial licensure or through reciprocity; licensed nursing home administrators seeking to serve as a preceptor for an administrator-in-training; individuals seeking to reinstate an expired license; and family-run and/or small nursing homes. The amendments are not written with special consideration for the flexible compliance and/or reporting by small businesses because the Board of Examiners for Nursing Home Administrators has as its primary mission the protection of the health, safety, and welfare of the citizens of Tennessee.
- (4) The proposed rule amendments affect applicants seeking to become licensed nursing home administrators in Tennessee through initial licensure or through reciprocity; licensed nursing home administrators seeking to serve as a preceptor for an administrator-in-training; individuals seeking to reinstate an expired license; and family-run and/or small nursing homes. The compliance and/or reporting requirements of the amendments are as “user-friendly” as possible while still allowing the Board of Examiners for Nursing Home Administrators to achieve its mandated mission. There is sufficient notice between the rulemaking hearing and the final promulgation of the proposed rule amendments to allow all effected persons and/or entities to come into compliance with the rules.
- (5) The proposed rule amendments affect applicants seeking to become licensed nursing home administrators in Tennessee through initial licensure or through reciprocity; licensed nursing home administrators seeking to serve as a preceptor for an administrator-in-training; individuals seeking to reinstate an expired license; and family-run and/or small nursing homes. The amendments are not written with special consideration for the consolidation or simplification of compliance and/or reporting requirements for small businesses because the Board of Examiners for Nursing Home Administrators has as its primary mission the protection of the health, safety, and welfare of the citizens of Tennessee.
- (6) The proposed rule amendments affect applicants seeking to become licensed nursing home administrators in Tennessee through initial licensure or through reciprocity; licensed nursing home administrators seeking to serve as a preceptor for an administrator-in-training; individuals seeking to reinstate an expired license; and family-run and/or small nursing homes. The standards required in the amendments do not necessitate the establishment of performance, design, or operational standards.
- (7) The proposed rule amendments do not create unnecessary entry barriers or other effects that stifle entrepreneurial activity.

Statement of Economic Impact

Types of small businesses that will be directly affected by the proposed rules:

The proposed rule amendments affect applicants seeking to become licensed nursing home administrators in Tennessee through initial licensure or through reciprocity; licensed nursing home administrators seeking to serve as a preceptor for an administrator-in-training; individuals seeking to reinstate an expired license; and family-run and/or small nursing homes.

Types of small businesses that will bear the cost of the proposed rules:

Applicants seeking to become licensed nursing home administrators in Tennessee through initial licensure or through reciprocity; licensed nursing home administrators seeking to serve as a preceptor for an administrator-in-training; individuals seeking to reinstate an expired license and family-run and/or small nursing homes will bear any minimal costs that may be associated with the proposed rules.

Types of small businesses that will directly benefit from the proposed rules:

Applicants seeking to become licensed nursing home administrators in Tennessee through initial licensure or through reciprocity; licensed nursing home administrators seeking to serve as a preceptor for an administrator-in-training; individuals seeking to reinstate an expired license and family-run and/or small nursing homes will receive any benefits associated with the proposed rules.

Description of how small business will be adversely impacted by the proposed rules:

The proposed rule amendments affect applicants seeking to become licensed nursing home administrators in Tennessee through initial licensure or through reciprocity; licensed nursing home administrators seeking to serve as a preceptor for an administrator-in-training; individuals seeking to reinstate an expired license; and family-run and/or small nursing homes. The rules are needed to protect the health, safety, and welfare of the citizens of Tennessee. Any adverse impact experienced by the above-named groups should be minimal.

Alternatives to the proposed rule that will accomplish the same objectives but are less burdensome, and why they are not being proposed:

The Board of Examiners for Nursing Home Administrators does not believe there are less burdensome alternatives to the proposed rule amendments.

Comparison of the proposed rule with federal or state counterparts:

Federal: The Board of Examiners for Nursing Home Administrators is not aware of any federal counterparts.

State: The proposed rule amendments appear to be generally consistent with Kentucky, Virginia, North Carolina, Georgia, Alabama, Mississippi, Arkansas, and Missouri.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 “any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments.” (See Public Chapter Number 1070 (<http://state.tn.us/sos/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly)

These rule amendments are not expected to have an impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

Rule 1020-01-.06(2)(a)3. Preceptors, Administrators-In-Training and Administrators-In-Training Programs is amended to limit the number of continuing education hours required to maintain certification as a preceptor at 54 hours. Currently, there is not a limit on the number of continuing education hours required when an individual wants to reinstate an expired or retired nursing home administrator's license and also continue certification as a preceptor.

Rule 1020-01-.07(6), Licensure by education and experience combined with an Administrator-In-Training (A.I.T.) program is amended by increasing the years of "acceptable management experience" required when an individual has an associate degree from three (3) years to five (5) years.

Rule 1020-01-.07(7), Licensure by experience combined with continuing education and an Administrator-In-Training (A.I.T.) program is amended by deleting this pathway entirely because the pathway is no longer being used by applicants due to the lack of available continuing education courses to meet the requirements of this pathway.

Rule 1020-01-.07(8), Licensure by reciprocity, is amended to clarify that for those individuals applying for reciprocity the Board will consider for licensure an individual working for a minimum of five (5) of the last seven (7) years as a licensed nursing home administrator in another state in lieu of a degree and in lieu of an A.I.T. (Administrator-In-Training) program.

There are amendments to Rule 1020-01-.07 and Rule 1020-01-.08 generally that reflect the deletion of paragraph (7) of Rule 1020-01-.07.

Rule 1020-01-.11(4) Reinstatement of an Expired License is amended to limit the number of continuing education hours required to reinstate an expired license and to limit the amount of fees assessed to reinstate an expired license.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

Authority for the proposed rule amendments comes from state statutes governing the practice of nursing home administrators, Tenn. Code Ann. § 63-16-101. *et seq.*

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

The proposed rule amendments affect applicants seeking to become licensed nursing home administrators in Tennessee through initial licensure or through reciprocity; licensed nursing home administrators seeking to serve as a preceptor for an administrator-in-training; individuals seeking to reinstate an expired license; and family-run and/or small nursing homes. The rules were open to public comment. There was only one comment received that urged rejection of one rule amendment.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

None known.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two

percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

There is not expected to be either an increase or a decrease in state and local government revenues and expenditures resulting from the promulgation of the proposed rule amendments.

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Diona E. Layden, Assistant General Counsel, possesses substantial knowledge and understanding of the rule.

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Diona E. Layden, Assistant General Counsel, will explain the rule at a scheduled meeting of the committees.

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Diona E. Layden, Assistant General Counsel, Office of General Counsel, 220 Athens Way, Suite 210, Nashville, TN 37243, (615) 741-1611, Diona.Layden@tn.gov

- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None.

1020-01-.05 TEMPORARY LICENSES. The Board may issue temporary licenses under limited circumstances pursuant to T.C.A. § 63-16-104(b).

Authority: T.C.A. §§4-5-202, 4-5-204, 63-16-103, and 63-16-104. **Administrative History:** Original rule certified June 7, 1974. Amendment by Public Chapter 969; effective July 1, 1984. Repeal and new rule filed December 17, 1991; effective January 31, 1992. Repeal and new rule filed December 14, 1999; effective February 27, 2000. Amendment filed July 31, 2000; effective October 14, 2000. Amendment filed January 23, 2002; effective April 8, 2002. Amendment filed February 20, 2002; effective May 6, 2002. Repeal and new rule filed September 4, 2003; effective November 18, 2003.

1020-01-.06 PRECEPTORS, ADMINISTRATORS-IN-TRAINING AND ADMINISTRATORS-IN-TRAINING PROGRAMS. A person who intends to qualify for admission to the licensure examination by use of an A.I.T. program must first receive approval to begin the program by complying with rules 1020-01-.07 and 1020-01-.08, and successfully complete the program in a Board approved facility under the coordination, supervision and teaching of a Preceptor who has obtained certification from the Board pursuant to, and continues to meet the qualifications of this rule.

- (1) Preceptor - Qualifications for Certification.
 - (a) The following licensees may apply to receive certification as a Preceptor:
 1. Any administrator; or
 2. Any assistant administrator; or
 3. A multifacility regional administrator. However, the A.I.T. program may be conducted only in facilities over which he or she is the regional administrator.
 - (b) An applicant must obtain from, complete and submit to the Board Administrative Office an application form along with satisfactory documentation of all the following:
 1. Current licensure as a nursing home administrator in Tennessee.
 2. One of the following:
 - (i) Valid licensure and full-time practice as a nursing home administrator for three (3) of the five (5) years immediately preceding application, the final year of practice must have been in Tennessee; or
 - (ii) Valid licensure as a nursing home administrator and employment as an assistant administrator with at least six (6) years of full-time experience in licensed nursing homes in the ten (10) years immediately preceding application.
 3. Successful completion of seventy-two (72) semester hours or its equivalent of college credit. Each one (1) year of full-time experience obtained beyond the three (3) or six (6) year qualifying time period may be substituted for twenty-four (24) semester hours of college credit.
 4. Successful completion of a twelve (12) hour Board approved Preceptor Training and Orientation Course. The course must have been completed within the twelve (12) months immediately preceding certification. These hours may be applied to the annual C.E. requirement.

(Rule 1020-01-.06, continued)

5. Have no formal disciplinary actions taken against the applicant's license within the ten (10) years immediately preceding application which the Board deems to be of such a nature as to prevent the applicant from providing services as a Preceptor.
- (c) An applicant must attend an interview conducted by the Board or a Board member for discussion of basic concepts of the Preceptor Program. A major purpose of the interview will be to evaluate the training effectiveness of the preceptor. The Board may require that the interviews be electronically recorded and transcribed so that there will be no misunderstandings when the Board Member makes a presentation to the entire Board.
 - (d) A preceptor may not supervise more than two (2) A.I.T.'s at one (1) time except by written permission of the Board.
- (2) Preceptor - Continued Certification.
 - (a) To remain certified as a preceptor a licensee must:
 1. on or before December 31st of every year after initial certification, successfully complete nine (9) clock hours of Board approved continuing education within the calendar year in addition to the continuing education hours required for licensure renewal pursuant to rule 1020-01-.12. Credit for six (6) hours of continuing education per year shall be given to a preceptor upon the successful completion of an A.I.T. program; and
 2. hold an active, current and unrestricted license in Tennessee as a Nursing Home Administrator; or
 - ~~3. hold an active, current and unrestricted license in another state as a Nursing Home Administrator and submit proof of successful completion of twenty-seven (27) clock hours of NAB-approved continuing education for every year the licensee practiced in another state while his/her Tennessee license was expired or retired.~~
 3. hold an active, current and unrestricted license in another state as a Nursing Home Administrator and submit proof of successful completion of twenty-seven (27) clock hours of NAB-approved continuing education for every year the licensee practiced in another state while his/her Tennessee license was expired or retired. However, the continuing education hours required shall not exceed fifty-four (54) hours.
 - (b) Failure to provide an A.I.T. an opportunity for adequate training under proper supervision in the administrative and operating activities and functions of a facility shall be grounds for discipline of a Preceptor's certification pursuant to T.C.A. § 63-16-108(a)(1) and rule 1020-01-.15.
 - (c) Preceptor certification is subject to disciplinary action in the same manner and for the same causes as that for licensees.
 - (d) When an A.I.T. fails the written licensure examination twice, the preceptor for the A.I.T. may, in the Board's discretion, be required to furnish a written assessment of the reasons for the failure or be required to appear before the Board to make an oral assessment. Failure of a preceptor to provide the written or oral assessment may be grounds for decertification.

(Rule 1020-01-.06, continued)

(3) Administrator-In-Training Program.

(a) Facilities - Primary training and supervision of an A.I.T. must occur in one primary facility which is approved by the Board. If the Preceptor and the A.I.T. feel it would be beneficial to have certain areas of the training in a facility other than the primary one, the Preceptor shall notify the Board of the areas to be covered, the time to be spent in the secondary facility and the reasons. All facilities to be used must be approved in advance and in writing. The facility must obtain from, complete and submit to the Board Administrative Office an application form and documentation sufficient to show the following:

1. An organizational structure with clearly defined and staffed departments, each with a designated department head. Those departments must include:
 - (i) Administration;
 - (ii) Nursing;
 - (iii) Dietary;
 - (iv) Social services and activities;
 - (v) Medical records; and
 - (vi) Housekeeping, maintenance and laundry.
2. That the administrator serves as the department head of only the administration department of the facility.
3. The absence of outstanding operational deficiencies.
4. The most recent facility licensure survey and the plan of correction in response thereto.

(b) A.I.T. Program - Structure and Content. The A.I.T. programs must be conducted in Board approved facilities. The Preceptor must be either the administrator, assistant administrator or regional administrator of the primary facility. The program must comply with the following:

1. Prior to commencement of the A.I.T. program, a form must be obtained from, completed and submitted to the Board Administrative Office which contains all the following:
 - (i) Approval of the preceptor by the A.I.T. as evidenced by signature of both the Preceptor and A.I.T.;
 - (ii) The beginning date of the program;
 - (iii) The dates on which required reports are to be filed; and
 - (iv) The anticipated date of the A.I.T.'s completion of the program.
2. The A.I.T. program shall cover a period of at least six (6) months during which period the A.I.T. shall devote full time and effort toward completion of the program. Should the A.I.T. spend less than full time, thus requiring more than six

(Rule 1020-01-.06, continued)

(6) months to complete, there must be prior written approval of the Board. The reasons for the delay shall be explained in writing by the Preceptor. Under no circumstances shall the program extend beyond one (1) year.

3. The preceptor and the A.I.T. shall spend a minimum of four (4) hours per week in orientation, direct instruction, planning and evaluation. The minimum four (4) hours per week of training must occur in person in the facility or facilities approved by the Board for that individual's A.I.T. program.
4. It shall be the responsibility of the preceptor to continually evaluate the development and experience of the A.I.T. to determine specific areas needed for concentration.
5. A preceptor shall use the Board approved workbook as the basic guide. There shall be a pre-training assessment. If deemed advisable, additional material may be added to the basic guide to individually meet the needs of the A.I.T. While the basic guide may be expanded, no areas of the basic guide may be omitted.
6. The preceptor and the A.I.T. shall submit reports on Board provided forms according to the following schedule:
 - (i) Every two (2) months after its commencement; and
 - (ii) A final report shall be submitted which contains a recommendation on licensure from the preceptor.

(c) General Rules for A.I.T. Programs.

1. Change of Preceptor.
 - (i) If the approved preceptor is unable, for any reason, to fulfill the approved program of an A.I.T., a new preceptor shall be obtained as soon as possible, but no more than sixty (60) days from the date the A.I.T. first obtained knowledge that the training under the previous preceptor would be discontinued. In special circumstances the Board, upon application, may authorize additional time in which a new preceptor may be secured.
 - (ii) In the event an A.I.T. desires to secure a preceptor different from the one approved by the Board, the new preceptor and the A.I.T. shall notify the Board stating the reasons. New agreement forms shall be completed, signed by the new preceptor and the A.I.T., and be submitted to the Board Administrative Office for approval prior to continuing training.
2. It shall be the duty of both the preceptor and the A.I.T. to notify the Board if the A.I.T. drops out of the program.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-16-103, 63-16-104, 63-16-106 and 63-16-109. **Administrative History:** Original rule certified June 7, 1974. Amendment filed November 12, 1982; effective December 13, 1982. Amendment filed February 3, 1983; effective March 7, 1983. Amendment filed April 19, 1984; effective May 19, 1984. Amendment filed February 23, 1987; effective April 9, 1987. Amendment filed October 22, 1987; effective December 6, 1987. Amendment filed January 4, 1989; effective February 18, 1989. Amendment filed August 14, 1989; effective September 28, 1989. Amendment filed September 8, 1989; effective October 23, 1989. Amendment filed February 21, 1991; effective April 7, 1991. Repeal and new rule filed December 17, 1991; effective January 31, 1992. Repeal and new rule filed December 14, 1999; effective February 27, 2000. Amendment filed January 19, 2001; effective April 5, 2001.

(Rule 1020-01-.06, continued)

Amendment filed September 4, 2003; effective November 18, 2003. Amendment filed December 9, 2005; effective February 22, 2006. Amendment filed July 27, 2006; effective October 10, 2006.

~~1020-01-.07 QUALIFICATIONS FOR LICENSURE. To practice as a nursing home administrator in Tennessee, a person must possess a lawfully issued license from the Board. Paragraphs (2) through (8) of this rule describe the seven (7) ways/categories to obtain licensure as a nursing home administrator. Combining requirements from different categories is not permitted, and will not constitute completion of licensure requirements. In addition to the requirements of this rule all applicants, regardless of which category is used, must successfully complete the examinations required in rule 1020-01-.10 Examinations.~~

1020-01-.07 Qualifications for Licensure. To practice as a nursing home administrator in Tennessee, a person must possess a license lawfully issued by the Board. Paragraphs (2) through (7) of this rule describe the six (6) categories to obtain licensure as a nursing home administrator. Combining requirements from different categories is not permitted, and will not constitute completion of licensure requirements. In addition to the requirements of this rule, all applicants, regardless of which category is used, must successfully complete the examinations required in Rule 1020-01-.10 Examinations.

~~(1) "Acceptable Management Experience," as used in this rule, means the actual practice of health care facility administration in an inpatient health care facility with guidance and sharing of responsibility from the administrator and not related to the role of an administrative clerk. "Acceptable management experience" contemplates experience in all departments or areas of the facility, provided however, that this term is not to be construed to require that the applicant have spent the entire number of years of "acceptable management experience" referred to in paragraphs (6) and (7) of this rule in the capacity of an assistant administrator. Responsible supervisory experience in various departments within the facility may be applied to meet the requirements of paragraphs (6) and (7) of this rule, and the time spent in a board approved Administrator-In-Training (A.I.T.) program may also be counted toward these requirements. However, no more than two-thirds (2/3) of the required "acceptable management experience" can be obtained in any one area of the facility, e.g., in dietary, nursing, financial, etc.~~

(1) "Acceptable Management Experience," as used in this rule, means the actual practice of health care facility administration in an inpatient health care facility with guidance and sharing of responsibility from the administrator and not related to the role of an administrative clerk. "Acceptable management experience" contemplates experience in all departments or areas of the facility, provided, however, the applicant is not required to have spent the entire five (5) years in the capacity of an assistant administrator. Responsible supervisory experience in various departments within the facility may be applied to meet the requirements of paragraph (6) of this rule, and the time spent in a board approved Administrator-In-Training (A.I.T.) program may also be counted toward these requirements. However, no more than two-thirds (2/3) of the required "acceptable management experience" can be obtained in any one area of the facility, e.g., in dietary, nursing, financial, etc.

(2) Licensure by examination - A baccalaureate, masters, or doctorate degree in the area of Health Care Administration from an accredited college or university is required. The curriculum shall include a four hundred (400) hour internship taken for credit and served in a licensed long term care nursing facility.

(3) Licensure by experience and education as a hospital administrator combined with a Limited Administrator-in-Training (A.I.T.) program - A baccalaureate, masters or doctorate degree from an accredited college and a four hundred (400) hour Board-approved A.I.T. program to be completed in no less than three (3) months and no more than six (6) months combined with a minimum of five (5) of the last seven (7) years as the chief executive officer of a licensed hospital is required. This individual is appointed by the governing authority and is re-

(Rule 1020-01-.07, continued)

sponsible to it for the executive management of the organization according to the mission, goals and objectives that have been adopted.

- (a) The administrator must develop an organizational structure to provide the patient care services that are offered by the facility which is consistent with the mission and meets all applicable legal, licensure and accreditation requirements; assure that appropriate mechanisms are in place for an organized medical staff and (if applicable) a volunteer organization; also oversee long range planning and possibly even joint ventures. The individual must work with community, county and state governmental agencies on a wide variety of topics.
 - (b) In a multi-hospital organization, the chief executive officer may be directly responsible to a corporate official and may have a local advisory board or other consultative group.
- (4) Licensure by experience and education as an assistant/associate hospital administrator combined with a Limited Administrator-in-Training (A.I.T.) program – A baccalaureate, masters or doctorate degree from an accredited college and a four hundred (400) hour Board-approved A.I.T. program to be completed in no less than three (3) months and no more than six (6) months combined with a minimum of five (5) of the last seven (7) years as the chief operating officer of a licensed hospital is required. This individual is appointed by the chief executive officer, usually with the concurrence of the governing authority.
- (a) The assistant/associate administrator is directly responsible for the operation of several hospital departments and assists the administrator, as assigned, in other executive management functions. The individual must work with community, county and state governments on a wide variety of topics.
 - (b) The assistant/associate administrator is “in charge” of the facility during the absence of the administrator and must follow its mission, goals and objectives that have been adopted.
- (5) Licensure by education combined with an Administrator-In-Training (A.I.T.) program - A baccalaureate, masters or doctorate degree from an accredited college combined with a Board approved A.I.T. program of at least six (6) months is required.
- ~~(6) Licensure by education and experience combined with an Administrator-In-Training (A.I.T.) program – An associate degree and three (3) years of acceptable management experience in a licensed long term care facility combined with a Board approved A.I.T. program of at least six (6) months is required.~~
- (6) Licensure by education and experience combined with an Administrator-In-Training (A.I.T.) program – An associate degree and five (5) years of acceptable management experience in a licensed long term care facility combined with a Board approved A.I.T. program of at least six (6) months is required.
- ~~(7) Licensure by experience combined with continuing education and an Administrator-In-Training (A.I.T.) program – Five (5) years of acceptable management experience and a four hundred (400) hour Board approved A.I.T. program to be completed in no less than three (3) months and no more than six (6) months combined with fifty (50) clock hours of Board approved continuing education in nursing home administration is required.~~
- ~~(a) The fifty (50) clock hours of continuing education shall be a prerequisite to the A.I.T. program.~~

(Rule 1020-01-.07, continued)

- ~~(b) The fifty (50) clock hours of continuing education must have been presented in the traditional "lecture / classroom" format. Courses that use any of the presentation methods in part (3) (c) 1. of Rule 1020-01-.12 shall not be allowed.~~
- ~~(c) The fifty (50) clock hours of continuing education must have begun within twenty-four (24) months immediately prior to approval of the A.I.T. Program.~~
- ~~(8) Licensure by reciprocity – An active license as a nursing home administrator in another state is required.~~
- ~~(a) This individual must demonstrate to the Board's satisfaction that he/she has successfully completed requirements which are substantially equivalent to or exceed the requirements of paragraphs (2), (3), (4), (5), (6), or (7) of this rule; or~~
- ~~(b) This individual must demonstrate to the Board's satisfaction that he/she has successfully completed requirements which are substantially equivalent to or exceed the requirements for certification by the American College for Health Care Administrators.~~
- (7) Licensure by reciprocity – An active license as a nursing home administrator in another state is required.
- (a) An applicant must demonstrate to the Board's satisfaction a successful completion of requirements that are substantially equivalent to or exceed the requirements of paragraphs (2), (3), (4), (5), or (6) of this rule; or
- (b) An applicant must demonstrate to the Board's satisfaction a successful completion of requirements that are substantially equivalent to or exceed the requirements for certification by the American College of Health Care Administrators.
- (c) For those individuals applying for reciprocity, the Board may consider for licensure an individual working for a minimum of five (5) of the last seven (7) years as a licensed nursing home administrator in another state in lieu of a degree and/or in lieu of an A.I.T. program.
- ~~(98) An applicant who chooses to qualify for licensure by meeting the requirements of paragraphs (5), (6), or (7) of this rule must obtain Board approval to begin the A.I.T. program.~~
- (8) An applicant who chooses to qualify for licensure by meeting the requirements of paragraphs (5) or (6) of this rule must obtain Board approval to begin the A.I.T. program.
- ~~(a) Successful completion of the A.I.T. program as governed by rule 1020-01-.06 is a prerequisite to approval to take the licensure examination.~~
- (a) Successful completion of the A.I.T. program as governed by Rule 1020-01-.06 is a prerequisite to approval to take the licensure examination.
- ~~(b) The time an applicant spends in the A.I.T. program may be credited toward the last six (6) months needed to meet the "acceptable management experience" requirement for admission to the examination.~~
- ~~(c) The Board shall concurrently determine eligibility for both admission to the examination and commencement of the A.I.T. program upon review of both applications.~~

(Rule 1020-01-.07, continued)

Authority: T.C.A. §§4-5-202, 4-5-204, 63-16-103, 63-16-104, 63-16-105, 63-16-106, and 63-16-109.
Administrative History: Original rule certified June 7, 1974. Amendment filed May 22, 1979; effective July 6, 1979. Amendment filed November 12, 1982; effective December 13, 1982. Amendment filed October 22, 1987; effective December 6, 1987. Amendment filed August 14, 1989; effective September 28, 1989. Repeal and new rule filed December 17, 1991; effective January 31, 1992. Repeal and new rule filed December 14, 1999; effective February 27, 2000. Repeal and new rule filed September 4, 2003; effective November 18, 2003. Amendment filed July 23, 2010; effective October 21, 2010.

1020-01-.08 PROCEDURES FOR LICENSURE.

- (1) An applicant shall obtain an examination or an A.I.T. program application from the Board Administrative Office or from the Board's Internet website (tennessee.gov), and respond truthfully and completely to every question. The applicant is responsible for obtaining and submitting the required documentation, or causing it to be submitted, to the Board Administrative Office.
- (2) An applicant must submit the application along with the non-refundable application, jurisprudence examination and state regulatory fees as provided in rule 1020-01-.02.
- (3) Unless the applicant is applying for licensure as provided in paragraphs (2), (5) or (6) of Rule 1020-01-.07, an applicant must submit proof of graduation from high school or its equivalent.
- (4) An applicant shall submit with his application a "passport" style photograph taken within the preceding twelve (12) months and attach it to the appropriate page of the application. Photocopies are not accepted.
- (5) An applicant must submit two (2) original reference letters attesting to the applicant's good moral character on the signator's professional letterhead. Photocopies are not accepted.
- (6) An applicant shall submit proof of United States citizenship or evidence of being legally entitled to live in the United States. Such evidence may include a notarized copy of a birth certificate, or naturalization papers, or current visa status.
- (7) If the applicant is applying for licensure as provided in paragraphs (2), (5) or (6) of Rule 1020-01-.07, the applicant shall cause a transcript to be sent directly to the Board Administrative Office from the educational institution that awarded the degree. Transcripts that state "issued to student" will not be accepted.
- ~~(8) If the applicant is applying for licensure as provided in paragraphs (3), (4) (6) or (7) of Rule 1020-01-.07, a resume must be submitted with the application. The resume must state the dates of employment, name of facility, job title and job duties.~~
- (8) If the applicant is applying for licensure as provided in paragraphs (3), (4), or (6) of Rule 1020-01-.07, a resume must be submitted with the application. The resume must state the dates of employment, the name of the facility, the job title, and the job duties.
- ~~(9) If the applicant is applying for licensure by reciprocity, as provided in paragraph (8) of rule 1020-01-.07, he/she must submit directly to the Board Administrative Office from each state licensing board from which licensure has ever been issued documentation which indicates the applicant either holds a current active license and whether it is in good standing, or held a license which is currently inactive and whether it was in good standing at the time it became inactive. An active license as a nursing home administrator in another state is required for licensure by reciprocity.~~
- (9) If the applicant is applying for licensure by reciprocity, as provided in paragraph (7) of Rule 1020-01-.07, he/she must submit directly to the Board Administrative Office from each state

(Rule 1020-01-.08, continued)

licensing board from which licensure has ever been issued documentation which indicates the applicant either holds a current active license and whether it is in good standing, or held a license which is currently inactive and whether it was in good standing at the time it became inactive. An active license as a nursing home administrator in another state is required for licensure by reciprocity.

- (10) An applicant shall disclose the circumstances surrounding any of the following:
 - (a) Conviction of any criminal law violation of any country, state, or municipality, except minor traffic violations.
 - (b) The denial of licensure application by any other state or the discipline of licensure in any other state.
 - (c) Failure of any licensure examination.
- (11) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-16-103, 63-16-104, 63-16-106 and 63-16-109. **Administrative History:** Original rule certified June 7, 1974. Amendment filed May 22, 1979; effective July 6, 1979. Amendment filed November 12, 1982; effective December 13, 1982. Amendment filed February 21, 1986; effective May 13, 1986. Amendment filed January 4, 1989; effective February 18, 1989. Repeal and new rule filed December 17, 1991; effective January 31, 1992. Repeal and new rule filed December 14, 1999; effective February 27, 2000. Repeal and new rule filed September 4, 2003; effective November 18, 2003. Amendment filed March 17, 2006; effective May 31, 2006. Amendment filed July 27, 2006; effective October 10, 2006.

1020-01-.09 APPLICATION REVIEW, APPROVAL, DENIAL, AND INTERVIEWS. Review and decisions on applications shall be governed by the following:

- (1) Upon receipt of an incomplete application, the Board Administrative Office shall notify the applicant of the information required. The applicant shall submit the requested information to the Board Administrative Office on or before the forty-fifth (45th) day after the notification is sent. If the requested information is not received by the Board Administrator within the forty-five (45) days, the application file shall be closed and the applicant notified that the Board will not take further action regarding the application. In order to resume the application process, a new application must be received, including another payment of all fees.
- (2) Completed applications received in the Board Administrative Office may be submitted to a Board member or a Board designee for review. An initial determination to allow practice to commence may be made prior to the next Board meeting after the application is received. Each member of the Board and the Board's designee is vested with the authority to make these initial determinations.
- (3) If the full Board denies licensure, the action shall become final and the following shall occur:
 - (a) Notification of the denial shall be sent by the Board Administrative Office by certified mail, return receipt requested, containing all the specific statutory or rule authorities for the denial.
 - (b) The notification, when appropriate, shall also contain a statement of the applicant's right to request a contested case hearing under the Tennessee Administrative Procedures Act, T.C.A. § 4-5-301, et seq.

(Rule 1020-01-.10, continued)

- (i) Complete an additional A.I.T. program which emphasizes training in the deficient areas and is at least three (3) months in length; or
 - (ii) Submit to the Board for approval an education and training program as an alternative to the additional A.I.T. program. Any alternative education and training program must be approved by the Board prior to the applicant beginning such program, and must be successfully completed before retaking the examination.
5. Applicants who fail twice to successfully complete the examination may, in the Board's discretion, be required to furnish a written opinion of his/her reasons for the failure or may be required to appear before the Board to deliver an oral opinion. Failure of an applicant to provide the written or oral opinion shall cause the licensure application to be closed.
- (2) Jurisprudence Examination. All applicants for licensure must successfully complete the Board's jurisprudence examination as a prerequisite to licensure.
- (a) When an applicant has become eligible for licensure and has submitted the Jurisprudence Examination Fee as provided in rule 1020-01-.02 (1) (g), the Board shall send notification of such eligibility and the jurisprudence examination to the applicant.
 - (b) The examination must be completed and returned to the Board Administrative Office before the expiration of ninety (90) days from the date of notification of eligibility, or the applicant shall forfeit such eligibility and must begin the licensure process over.
 - (c) The scope, format, and content of the examination shall be determined by the Board but limited to statutes and rules governing practices and facilities.
 - (d) Correctly answering ninety percent (90%) of the examination questions shall constitute a passing score and successful completion of the jurisprudence exam. Applicants who fail to achieve a passing score on the examination may apply to retake it by written request to the Board Administrative Office and payment of the Jurisprudence Examination Fee as provided in rule 1020-01-.02 (1) (g).

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-16-103, 63-16-104, 63-16-105, and 63-16-106. **Administrative History:** Original rule certified June 7, 1974. Amendment filed May 22, 1979; effective July 6, 1979. New rule filed December 30, 1983; effective January 29, 1984. Amendment filed October 22, 1987; effective December 6, 1987. Amendment filed January 4, 1989; effective February 18, 1989. Repeal and new rule filed December 17, 1991; effective January 31, 1992. Repeal and new rule filed December 14, 1999; effective February 27, 2000. Amendment filed July 31, 2000; effective October 14, 2000. Amendment filed February 20, 2002; effective May 6, 2002. Amendment filed September 4, 2003; effective November 18, 2003. Amendment filed March 22, 2007; effective June 6, 2007. Amendment filed July 23, 2010; effective October 21, 2010.

1020-01-.11 LICENSURE RENEWAL. All persons licensed by the Board must renew their licenses to be allowed to lawfully continue in practice. The due date for renewal is the last day of the month in which a licensee's birthdate falls, pursuant to the Division's biennial birthdate renewal system, shown as the expiration date on renewal certificates.

(1) Methods of Renewal

- (a) Internet Renewals - Individuals may apply for renewal and pay the necessary fees via the Internet. The application to renew can be accessed at:

www.tennesseeanytime.org

(Rule 1020-01-.11, continued)

- (b) Paper Renewals - For individuals who have not renewed their license online via the Internet, a renewal application form will be mailed to each individual licensed by the Board to the last address provided to the Board. Failure to receive such notification does not relieve the licensee from the responsibility of meeting all requirements for renewal.
- (2) To be eligible for licensure renewal, a licensee must submit to the Board Administrative Office on or before the due date for renewal all the following:
- (a) A completed Board licensure renewal form.
 - (b) The Renewal Fee as provided in rule 1020-01-.02(1)(b).
 - (c) The State Regulatory Fee as provided in rule 1020-01-.02(1)(c).
- (3) Licensees who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licenses processed pursuant to rule 1200-10-1-.10.
- ~~(4) Reinstatement of an Expired License. Reinstatement of a license that has expired may be accomplished upon meeting the following conditions:~~
- (4) Reinstatement of an Expired License. Reinstatement of a license that has expired may be accomplished upon meeting the following conditions:
- ~~(a) At the discretion of the Board, either appear before it or submit a notarized statement setting forth the cause for failure to renew; and~~
 - (a) At the discretion of the Board, either appear before it or submit a notarized statement setting forth the cause for failure to renew;
 - ~~(b) Payment of all past due Renewal Fees and State Regulatory Fees; and~~
 - (b) Payment of all past due Renewal Fees and State Regulatory Fees. This amount shall not exceed the equivalent of the renewal fee at the time the reinstatement application is submitted plus the state regulatory fee times two (2);
 - ~~(c) Payment of the Late Renewal Fee provided in rule 1020-01-.02 (1) (d); and~~
 - (c) Payment of the Late Renewal Fee provided in Rule 1020-01-.02(1)(d);
 - ~~(d) Compliance with the continuing education requirements of rule 1020-01-.12; and~~
 - (d) Compliance with the continuing education requirements of Rule 1020-01-.12. The total number of hours of continuing education shall not exceed thirty-six (36) hours. However, for those individuals certified as a preceptor at the time the license expired, the total number of hours of continuing education required shall not exceed fifty-four (54) hours; and
 - ~~(e) If expiration was a result of failure to comply with T.C.A. § 63-16-107(e) and rule 1020-01-.14, submit documentation of successful completion of the conditions imposed by the Board as a result of any disciplinary action or settlement pursuant to rule 1020-01-.14 or rule 1020-01-.15.~~
 - (e) If expiration was a result of failure to comply with T.C.A. § 63-16-107(e) and Rule 1020-01-.14, submit documentation of successful completion of the conditions imposed by

(Rule 1020-01-.11, continued)

the Board as a result of any disciplinary action or settlement pursuant to Rule 1020-01-.14 or Rule 1020-01-.15.

- (5) Any licensee who fails to renew licensure prior to the expiration of the second (2nd) year after which renewal is due must, in addition to completing the requirements of paragraph (4) of this rule, reapply for, take and pass the nursing home administration examinations pursuant to rule 1020-01-.10. If continuously and actively practicing in another state as a licensed nursing home administrator, reinstatement may be accomplished upon meeting the following conditions:
 - (a) Compliance with paragraph (2) of rule 1020-01-.08; and
 - (b) Compliance with paragraph (4) of this rule.
- (6) Renewal issuance decisions pursuant to this rule may be made administratively or upon review by any Board member.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-16-103, 63-16-104, 63-16-107, 63-16-108, and 63-16-109. **Administrative History:** Original rule certified June 7, 1974. Repeal and new rule filed December 17, 1991; effective January 31, 1992. Amendment filed June 19, 1995; effective September 2, 1995. Repeal and new rule filed December 14, 1999; effective February 27, 2000. Amendment filed January 19, 2001; effective April 5, 2001. Amendment filed August 6, 2002; effective October 20, 2002. Amendment filed September 4, 2003; effective November 18, 2003.

1020-01-.12 CONTINUING EDUCATION. Although licensure renewal is required on a biennial basis, all licensees must attend and complete the continuing education requirements of this rule annually, on a calendar year basis, as a prerequisite to licensure renewal.

- (1) Hours Required.
 - (a) All licensees must attend and complete eighteen (18) clock hours of Board approved continuing education within every calendar year.
 - (b) For new licensees, submitting proof of successful completion of the NAB licensure examination shall be considered proof of sufficient preparatory education to constitute continuing education clock hour credit for the length of time already transpired in the calendar year in which the applicant is approved.
 1. For purposes of the requirement set out in subparagraph (1) (a) of this rule, credit for the length of time already transpired shall be calculated at the rate of four and a half (4½) clock hours per quarter-calendar year.
 2. The provisions of this subparagraph shall apply to all new licensees, including new licensees who have been approved pursuant to rule 1020-01-.08.
 - (c) The Board approves courses for only the number of hours contained in the course. The approved hours of any individual course will not be counted more than once in a calendar year toward the required annual hours regardless of the number of times the course is attended or completed by any individual licensee.
 - (d) Waiver or Extension of Continuing Education Requirements.
 1. The Board may grant a waiver of the need to attend and complete the required clock hours of continuing education or the Board may grant an extension of the deadline to complete the required clock hours of continuing education if it can be