Nursing Home Administrators Licensing Board

Review and Evaluation of Federal and State Rules

1. Federal and State rules and regulations regarding the requirements for licensing of nursing home administrators are very similar. Ail nursing homes must have a licensed administrator to manage and be responsible for the day-to-day operation of the facility and each state must have a board to carry out this licensing requirement. The following delineates similarities and differences between Federal and State rules and regulations with applicable code and rule citations:
2. All nursing homes must be licensed by the Health Department in the State of West Virginia. A requirement of that licensure is the facility must have an administrator licensed by the state who is responsible for the management and day-to-day operation of the nursing home.

WV Rule 64-13-2.1

1. To be certified for Medicaid participation, a nursing home must be licensed by the state and have an administrator licensed by the state who is responsible for the management of the facility.

Social Security Act 51902 (a) (29)

42CFR 483.75 (d), (2), (i), (ii)

WV Medicaid Nursing Facility Manual 514.5.1

1. Licensing of nursing home administrators shall be carried out by a board of representatives of the professions and institutions concerned with the care of chronically ill and infirm aged patients.

Social Security Act 51908 (b)

42CFR Subpart N 431.702

WV Medicaid State Plan Amendment 4.25

WV CSR Chapter 30 Article 25

1. The composition of the licensing board of nursing home administrators is more specific in the West Virginia Code of Regulations than in the Code of Federal Regulations.

42CFR 431.706

WVCSR 30-25-4 (d)

1. The Code of West Virginia, 530, Article 25 delineates in greater detail the functions and duties of the State Nursing Home Administrators Licensing Board to affect compliance with federal rules and regulations. The Legislature approved an amendment to Nursing Home Administrators Rule Title 21CSR1, effective July 22, 2016.

Social Security Act 51908 (c)

WV21CSR130-25-5 thru 30-25-17

1. The Board shall receive, investigate, and take appropriate action with respect to any charge or complaint filed with the Board to the effect that any individual licensed as a nursing home administrator has failed to comply with the standards designed to insure that individuals are of good character and qualified to serve as a nursing home administrator.

Social Security Act 51908 (c), (5)

42 CFR431.707; 431.709 (b), 431.712

WVCSR Chapter 30, Article 25-5 (10), (11), (12), (13)

WVCSR21-2-4 and 21-2-5

WVNHALB Policy-Substandard Care Deficiencies (Amended)