



State Board of Examiners of Nursing Home Administrators
Regulation 16A-6212: Continuing Education
Final Regulation

PROPOSAL: Regulation 16A-6212 is Final Regulation which was delivered to the House Professional Licensure Committee on April 5, 2010. Regulation 16A-6212 amends Title 49 of the Pennsylvania Code, Chapter 39, Section 39.61 (relating to requirements). The House Professional Licensure Committee has until April 26, 2010 to either approve or disapprove the regulation. The Final Regulation was amended.

The Committee considered the proposed regulation on March 31, 2009 and submitted one (1) comment. A brief summary of the Committee comment and the response provided by the Board are included in this analysis.

Regulation 16A-6212 amends Section 39.61 (relating to requirements).

FINAL RULEMAKING ANALYSIS: 49 Pa. Code § 39.61, Requirements, is a revision of the continuing education requirements which reorganizes, re-letters and renumbers the subsections and paragraphs.

This final rulemaking sets forth the following:

1. A licensee shall complete at least 48 clock hours of continuing education during the preceding biennial period.
2. Except as provided in the new subsection (c)(2)-(5), up to 48 clock hours may be completed in lecture, college or university, computer interactive, distance learning or correspondence courses preapproved by NAB or the Board.
3. A maximum of 12 clock hours may be earned by serving as an instructor of a NAB or Board approved continuing education program or as an instructor of a college or university course approved by NAB or the Board or by authoring up to four articles on long term care which are published in professional journals. Additional credit per article may be awarded based on the complexity of the subject matter or work; and, in exceptional circumstances, a licensee may be awarded up to 24 clock hours when the article is published in a refereed journal and the subject matter is complex.
4. A maximum of 12 clock hours may be awarded retroactively for attending programs, to include lectures, and college or university courses, which have not been preapproved if the attendee submits a written request within 60 days of attending the program and demonstrates to the Board's satisfaction that the programs meet the requirements of §39.14(a)(2), relating to approval of programs of study, and §39.51, relating to standards for continuing education programs.
5. The Board may evaluate, on a case by case basis, a licensee's written request, prior to the end of the renewal period, for an extension of time or waiver to complete the continuing education requirement if a licensee has not met or is not able to meet the illness, emergency or hardship requirement.

The Board received public comments.

**SUMMARY OF COMMENTS BY HOUSE PROFESSIONAL LICENSURE COMMITTEE
TO THE PROPOSED REGULATION AND RESPONSES BY THE BOARD**

1. The Committee noticed that with the deletion and renumbering of subparagraphs in subsection (b), the existing subparagraph (b)(5), which allows a supervisor for the AIT program to receive credits for continuing education, effective July 12, 2008, was omitted. It should be reinserted as new subparagraph (b)(4) since the existing subparagraph (b)(1) was deleted; and the existing subparagraph (b)(6) should be renumbered to subparagraph (b)(5) since the existing subparagraph (b)(1) was deleted.
 - The Board responded that the final-form rulemaking sets forth the correct renumbering.

RECOMMENDATION: It is recommended the House Professional Licensure Committee approve Final Regulation 16A-6212.

House of Representatives
Professional Licensure Committee
April 21, 2010