

Board of Examiners of Nursing Home Administrators

Functional Analysis & Records Disposition Authority

**Presented to the
State Records Commission
April 29, 1999**

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Functional and Organizational Analysis of the Alabama Board of Examiners of Nursing Home Administrators

Sources of Information

Representative of the Alabama Board of Examiners of Nursing Home Administrators:
Katrina G. Magdon, Executive Secretary

Code of Alabama 1975, Sections 34-20-1 through 34-20-16

Alabama Administrative Code, Chapters 620-X-1 through 620-X-14

Alabama Board of Examiners of Nursing Home Administrators Audit Report (1995 to 1997)

Alabama Government Manual (1994)

Current Agency Organization

The board consists of seven members, each appointed by the governor from a separate congressional district. The governor appoints three members from a list of nominees submitted by the Alabama Nursing Home Association. Nominees must be licensed nursing home administrators. The governor appoints the fourth member from a list of three nominees, all of them must be licensed physicians, submitted by the Medical Association of Alabama. The governor selects the fifth member, a hospital administrator, from a list of three nominees submitted by the Alabama Hospital Association. The governor appoints the sixth member, who must be a registered nurse with at least five years experience as a geriatric nurse, from a list of three nominees submitted by the Alabama State Nurses Association. The governor appoints a consumer as the seventh member. The consumer member, the member's spouse, and immediate family members are prohibited from being a licensee of the board or from employment in the nursing home profession. The consumer member can vote in all matters except licensure of applicants or discipline of licensees. All board members can serve up to two consecutive three-year terms.

The board holds four or more meetings a year. The board annually elects one of its members as chairman and one as vice-chairman. The chairman presides at meetings and appoints an executive secretary with the consent of members of the board. The executive secretary is responsible for the administration of the board. Currently, the board hires a part-time executive secretary who is an employee of the Alabama Nursing Home Association. The board's office is also leased from the association. An organizational chart is attached.

Agency Function

The mandated function of the Alabama Board of Examiners of Nursing Home Administrators is to license and regulate persons charged with the general administration of

nursing homes and to conduct investigations and hearings based on complaints against its licensees. The board is one of the agencies primarily involved in carrying out the Regulatory function of Alabama government.

Historical Context of Function

The legislature created the board in 1969 (Acts 1969, No. 986). Before the creation of the board, no agency regulated the practice of nursing home administrators. The state legislature continued the board's existence following sunset reviews in 1985, 1989, 1993, and 1997.

Agency Subfunctions

In the performance of its mandated functions, the board may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** In accordance with Code of Alabama 1975, Section 34-20-5, the board has the authority to prescribe rules and regulations governing the qualifications of applicants for licenses as nursing home administrators. The board also develops appropriate procedures or techniques for the implementation of the rules and regulations. This subfunction encompasses activities pertaining to the establishment and promulgation of rules/regulations and procedures by the board for carrying out its duties and responsibilities.
- **Licensing.** The board admits to examination for licensure as a nursing home administrator any applicant who has submitted evidence that he/she is at least 19 years of age, a citizen of the United States, a high school graduate, and has completed the board approved administrator-in-training program. In addition, the applicant must furnish the board with three letters from individuals to certify the candidate is of good moral character. The applicant must then take the written examination prepared by the National Association of Boards of Examiners of Long Term Care Administrators and must obtain a score of at least 75% on the exam in order to be licensed. The board requires all licensees to attend a minimum of 24 equivalent hours of continuing education courses each year prior to the renewal of their licenses. Not meeting the continuing education requirements or not renewing a license within 90 days of its due date will result in the expiration of the license. An expired license may not be reactivated. A person holding an expired license must reapply the license. A licensee who is not practicing as a nursing home administrator may place that license into an inactive status for five years upon written application to the board.

The board also issues licenses to those nursing home administrators licensed by other states. In addition to the national examination, all applicants who apply through reciprocity must also take a state written examination and obtain a score of at least 75%

on the exam prior to licensure. Out-of-state applicants are not required to fulfill the 1000-hour administrator-in-training program requirements.

- **Permitting.** In the event a nursing home administrator dies, unexpectedly resigns, becomes incapacitated, or has his/her license revoked, the board may issue, under the authority of Code of Alabama, Section 34-20-2, an emergency permit for the person who will administer the nursing home until a licensed nursing home administrator is employed. The emergency permit is issued for a period not to exceed 180 days and is not renewable.

- **Conducting Investigations and Hearings.** In accordance with Code of Alabama 1975, Section 34-20-5(4), the board is responsible for receiving, investigating, and taking appropriate actions with respect to any charge or complaint filed with the board. Alabama Administrative Code, Chapter 620-X-8-.01 specifies that all complaints against licensees must be submitted in writing on forms provided by the board. The board investigates the case and determines disciplinary actions if needed. The board may reprimand, censure, or fine the licensee or suspend or revoke the license. Within thirty days after the board's decision, the licensee may request in writing a hearing. The board holds a hearing only when a quorum of the board members is present unless the board and the licensee mutually agree to a hearing before less than a quorum.

- **Administering Office Operations.** A significant portion of the Alabama Board of Examiners of Nursing Home Administrators work includes general administrative, financial, and personnel activities geared toward the programmatic areas of the board. The activities of this subfunction are gathered together under the following headings: general administrative, managing records, managing information systems and technology, budgeting, purchasing, accounting, traveling, auditing, contracting, bidding, inventorying property, and leasing/renting.

General administrative: This section involves the activities of facilitating or managing the work of the agency.

Managing records: The Alabama Board of Examiners of Nursing Home Administrators maintains a records management program to document the storage, transfer, and disposition of its records.

Managing information systems and technology: The board is responsible for planning, directing, and supervising all data processing, computer and office systems. The scope of services related to information systems management includes resource planning, systems analysis, application design and programming, microcomputer and personal computer (PC) procurement, installation and maintenance, training, telecommunications planning and support, end user technical assistance and support, departmental computer services, response to information requests, and management consultation.

Budgeting: To comply with the Budget Management Act of 1976, the Alabama Board of Examiners of Nursing Home Administrators prepares and reviews a budget package and submits it to the Department of Finance. During the fiscal year, the board documents expenditures, allotments, amendments, and budget performance. The board reports in established budget status categories to the Department of Finance.

Purchasing: Code of Alabama 1975, Title 41, Chapter 4 establishes a mechanism under the authority of the Department of Finance for the purchase of all personal property by the Board of Examiners of Nursing Home Administrators. This mechanism provides procedures for requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received.

Accounting: The board accounts for the expenditure, encumbrance, disbursement, and reconciliation within the department's budget through a uniform system of accounting and reporting. This activity is performed for all funds, both federal and state.

Traveling: The board staff travels, both instate and out-of-state, for various purposes. Prior to travel, staff must request and gain approval for the trip. Upon return, staff members request reimbursement for expenses.

Auditing: Code of Alabama 1975, Title 41, Chapter 5 establishes a regular cycle of auditing and examining the financial transactions of every state agency/department by the Examiners of Public Accounts to verify the accuracy of agency information. This process ensures the accountability of government agencies and officials for the expenditure of public funds.

Contracting: Code of Alabama 1975, Title 41, Chapter 16 establishes a mechanism to allow all state agencies to establish contracts for supplies, equipment, and services. The state bid law establishes a \$7500 limit over which competitive bidding must take place to establish a contract. Service contracts are exempt from this statute to allow for the hiring of the most qualified individual or company.

Bidding: The Code of Alabama 1975, Sections 41-16-20 through 32 and 50 through 63, establishes a mechanism for local and state agencies to bid for products and services.

Inventorying property: According to Code of Alabama 1975, Section 36-16-8, each agency must send to the State Auditor a list of all nonconsumable property valued at over \$500 excluding books. Each department and agency must account for the property items on their inventory. Examiners of Public Accounts may audit the property and records of property in the agency or at the offices of the State Auditor.

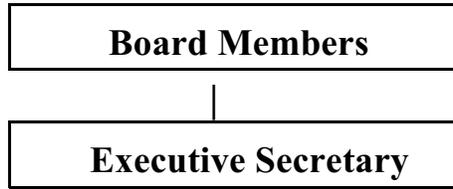
Leasing/Renting: According to Code of Alabama 1975, Section 41-4-17, the Department of Finance charges rent for use and occupancy of any building owned by the

state located in the capitol complex or any other building maintained by Finance. Agencies must negotiate for the lease or rent of their offices if the agencies do not own the property.

Completed: January 1999

Attachment: Organizational Chart

Alabama Board of Examiners of Nursing Home Administrators



Analysis of Record Keeping System and Records Appraisal of the Alabama Board of Examiners of Nursing Home Administrators

Sources of Information

Katrina G. Magdon, Executive Secretary

Agency Record Keeping System

The Alabama Board of Examiners of Nursing Home Administrators currently operates a hybrid record keeping system composed of paper-based record keeping and a computer system.

Paper-based Systems: Most of the board's records are created and maintained in paper form.

Computer System: The board currently has one stand-alone personal computer (Gateway [GP6-350]) utilizing the Windows operating system. The board's executive secretary uses the computer to perform routine word processing tasks and to maintain a database for licensees. The board creates a paper copy of all electronic records. Information is backed up daily on 4 mm data cartridge tapes. Back-up tapes are stored on-site in the board's office.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Alabama Board of Examiners of Nursing Home Administrators: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal and administrative requirements have been met. Some of the temporary records created by the board are discussed below:

- **Nursing Home Administrator Licensure Files.** The board is responsible for examining and licensing applicants as nursing home administrators. These files serve as evidence of the scope of a licensee's professional practice in this state from initial licensing to the final separation. A typical file may contain a completed application form, applicant's photo, copies of degree, reference letters, training data, employment verification affidavit, complaint records, and related correspondence. These records document the licensure history of the licensee and should be maintained long enough to cover the career span of an individual licensee. The board keeps licensure records of deceased licensees or licensees

whose licenses are expired for 15 years.

- **Incomplete Administrator-in-Training (AIT) Files.** An Administrator-in-Training (AIT) is a supervised internship during which the AIT works under the guidance and supervision of a preceptor (a licensed administrator who also meets the qualifications for supervision) in a nursing home. An applicant must complete 1000 equivalent hours of AIT in order to apply for licensure examination. These files contain all information pertaining to applicants who have applied to become an AIT but have failed to complete the training. The board only allows a temporary discontinuance of the training for up to one year. This record series is recommended for a five-year retention for reference after the trainee discontinues the training.
- **Incomplete Application Files.** These files contain records filed by applicants for nursing home administrators. The board creates an application file once a piece of information is received indicating someone is applying for licensure. Applicants in this category have never filed all necessary documents with the board. The board maintains these files for one audit review period before final disposition.
- **Disapproved Application Files.** These files contain all materials pertaining to applicants who have applied to become licensed nursing home administrators but have been disapproved by the board for not meeting the licensure requirements. The board provides an applicant who has been disapproved for licensure thirty days to appeal the decision. This series is recommended for a retention of one audit review period.
- **Complaint Logs.** Complaints or charges against any licensee as a nursing home administrator must be in writing on forms provided by the board. The completed complaint form is filed, along with investigation and disciplinary records, in the individual licensure file. The board also creates and maintains a complaint log that lists all complaint cases in a summarized form. The log contains assigned case number, date of complaint, names of complainant and licensee, brief description of complaint, and disposition of the case. It serves as a ready reference to complaints received and handled by the board. The board keeps this series until completion of next sunset review.
- **Transitory Records.** These are records created for short-term, internal purposes, as opposed to those that document the program functions of an agency or perpetuate knowledge. Transitory records do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt. These records are not filed or appropriate for filing because they serve no documentary purpose, such as setting policies, etc. Transitory records might include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about department social activities, such as a note to a group going to lunch.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations:

- **Meeting Minutes of the Board.** These records document the discussions and actions of the board during its regular meetings. The board may set policies, issue orders, approve/reject applications for licenses/permits, or discipline licensees at the meetings. (RDA pg. 2) **(Bibliographic Title: Meeting Minutes)**
- **Rule and Regulation Files.** Code of Alabama 1975, Section 41-22-2 mandates that all agencies whose operations affect the rights and duties of the public are required to develop and maintain an Administrative Code. Prior to the adoption, amendment or repeal of any rule or regulation, the agency must file its intended action with the Legislative Reference Service so that the proposed rules can be finalized and published. This series consists of Transmittal Sheets, Notices of Intended Action, copies of the proposed rules, transcripts and records of public hearings, and related correspondence. The board retains these files to document the evolution of rules and regulations. (RDA pg. 2).

Licensing:

- **State Written Examination Questions.** Alabama Administrative Code 620-X-12-.01 specifies that a nursing home administrator who has been licensed by another state may apply for a license in Alabama through reciprocity. In addition to the National Association of Boards of Examiners of Long term Care Administrators, the out-of-state applicant must also take and pass the state written examination prior to licensure. These examination questions are designed by the board to test out-of-state applicants' proficiency in the rules and regulations of health and safety. There are several versions of the tests and each test generally consists of 50 multiple-choice questions. The examination questions provide the board with a mechanism to evaluate only out-of-state applicants and should be kept permanently as one of the board's major functions. Because of their ongoing administrative value to the board, all examination questions are closed to the public until they become obsolete. (RDA pg. 2). **(Bibliographic Title: Questions for the Written State Examination)**

Permitting:

Permanent records documenting this subfunction are found in the Meeting Minutes of the Board as described in the Promulgating Rules and Regulations subfunction.

Conducting Investigations and Hearings:

Permanent records documenting this subfunction are found in the Meeting Minutes of the Board as described in the Promulgating Rules and Regulations subfunction.

Administering Office Operations:

The board currently creates no permanent records under this subfunction.

Completed: January 1999

Permanent Records List
Function: Regulatory
Alabama Board of Examiners of Nursing Home Administrators

Promulgating Rules and Regulations:

1. Meeting Minutes of the Board
- *2. Rule and Regulation Files

Licensing:

1. State Written Examination Questions

* indicates records that ADAH anticipates will remain in the care and custody of the creating agency. ADAH staff is available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

Alabama Board of Examiners of Nursing Home Administrators Records Disposition Authority

This Records Disposition Authority (RDA) lists records created and maintained by the Alabama Board of Examiners of Nursing Home Administrators in carrying out its mandated functions and activities. The RDA establishes the retention and disposition requirements for those records as approved by the State Records Commission and serves as the legal authority for the agency to implement the disposition instructions.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of records in the Alabama Board of Examiners of Nursing Home Administrators.
- The statement “retain for useful life” means that when records are no longer useful to the agency and have met their fiscal, administrative, and/or legal needs, they should be destroyed.
- Many temporary records listed within the Administering Office Operations subfunction of this RDA represent duplicate copies of long-term and permanent records maintained by other agencies. For example, records management documentation maintained by the agency until the completion of one audit and release of the audit report is maintained as a permanent record by the Department of Archives and History.
- Temporary records documenting the expenditure of funds and whose retention states “retain until completion of one audit and the release of the audit report” should be maintained through the completion of one external audit by the Examiners of Public Accounts. Neither the conduct of an independent audit nor an internal audit will satisfy the requirements of this retention.
- Transitory records are those records created for short-term, internal purposes, as opposed to communications which document the program functions of an agency or perpetuate knowledge. They should be retained for their useful life and then destroyed.
- Electronic mail is a communications tool that may record permanent or temporary information. The retention periods for e-mail records are governed by the requirements of the appropriate subfunctional areas to which the records belong.
- The RDA establishes a minimum time limit for which the documentation of a subfunction must be maintained regardless of the format of that documentation.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Alabama Board of Examiners of Nursing Home Administrators and lists the groups of records created and/or maintained by the board as a result of activities and transactions performed in carrying out these subfunctions. The board may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

■ Promulgating Rules and Regulations

MEETING MINUTES OF THE BOARD

Disposition: PERMANENT RECORD.

RULES AND REGULATIONS FILES

Disposition: PERMANENT RECORD.

■ Licensing

STATE WRITTEN EXAMINATION QUESTIONS

Disposition: PERMANENT RECORD.

Nursing Home Administrator Licensure Files

Disposition: Temporary Record. Retain 15 years after license is expired.

Incomplete Administrator-in-Training Files

Disposition: Temporary Record. Retain 5 years after the end of the year in which the trainee discontinues the training.

Incomplete Application Files

Disposition: Temporary Record. Retain until the completion of one audit and the release of the audit report.

Disapproved Application Files

Disposition: Temporary Record. Retain until the completion of one audit and the release of the audit report.

Nursing home Administrator Licensure Database

Disposition: Temporary Record. Retain for useful life.

Licensed Nursing Home Administrator Index Files

Disposition: Temporary Record. Retain for useful life.

Voided Licenses/Renewal Cards

Disposition: Temporary Record. Retain until the completion of one audit and the release of the

audit report.

Nursing Home Administrator Applicants Examination Score Sheets

Disposition: Temporary Record. Retain until the completion of one audit and the release of the audit report.

Approved Continuing Education Course Files

Disposition: Temporary Record. Retain until the completion of one audit and the release of the audit report.

Continuing Education Attendee Rosters

Disposition: Temporary Record. Retain until the completion of one audit and the release of the audit report.

■ **Permitting**

Emergency Permit Files

Disposition: Temporary Record. Retain until the completion of one audit and the release of the audit report.

■ **Conducting Investigations and Hearings**

Complaint logs

Disposition: Temporary Record. Retain until completion of next sunset review.

Administering Office Operations

General Administrative:

Board Members Appointment and Service Files

Disposition: Temporary Record. Retain 5 years after completion of the term.

Board Executive Secretary Personnel Files

Disposition: Temporary Record. Retain 6 years after separation from the board.

Legislative Sunset Committee Review Records

Disposition: Temporary Record. Retain until completion of next sunset review.

General Correspondence

Disposition: Temporary Record. Retain until the completion of one audit and the release of the audit report.

Reference Files

Disposition: Temporary Record. Retain for useful life.

Managing records:

Records documenting the implementation of the board's approved RDA, including copies of transmittals for records transferred to the State Records Center and records transferred to the Department of Archives and History, and the board's annual reports to the State Records Commission

Disposition: Temporary Record. Retain until completion of one audit and the release of the audit report after creation of records.

Copies of RDA

Disposition: Temporary Record. Retain until completion of one audit and the release of the audit report after the RDA is superseded.

Managing information systems and technology:

System documentation (hardware/software manuals and diskettes, warranties, records of access/authorities, file naming conventions)

Disposition: Temporary Record. Retain documentation of former system until completion of one audit and the release of the audit report after all records of continuing value have been migrated to current system (includes records on backup tapes).

Implementation of Year 2000 Compliance Program Records

Disposition: Temporary Record. Retain until the software is obsolete.

Budgeting:

Records documenting the preparation of a budget package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain until completion of one audit and release of the audit report.

Purchasing:

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received.

Disposition: Temporary Record. Retain until the completion of one audit and the release of the audit report.

Accounting:

Records of original entry - journals, registers, and ledgers - and funds deposited outside the State Treasury, such as bank statements.

Disposition: Temporary Record. Retain until completion of one audit and the release of the audit report.

Traveling:

Records documenting requests for authorization from supervisors to travel on official business either within or outside the state, and other related materials, such as travel reimbursement forms

Disposition: Temporary Record. Retain until completion of one audit and the release of the audit report.

Auditing:

Disposition: Temporary Record. Retain until completion of two successive audits and the release of the audit reports.

Contracting:

Records documenting contracts for supplies, equipment, and services

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Bidding:

Records documenting the bid process, including requests for proposals and unsuccessful responses

Disposition: Retain in office (Code of Alabama 1975, Sections 41-16-20 to 41-16-24).

Inventorying property:

Records documenting the conduct of the semiannual property inventories

Disposition: Retain in office. (Code of Alabama 1975, Section 36-16-8 [1]).

Agency Copies of Transfer of State Property Forms (SD-1)

Disposition: Temporary Record. Retain until completion of one audit and the release of the audit report.

Inventory Cards

Disposition: Temporary Record. Retain until release of the audit report following the removal of an item from inventory.

Property Inventory Affidavits

Disposition: Temporary Record. Retain until completion of one audit and the release of the audit report.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Leasing/Renting

Leasing/Renting property files

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Approval of Records Disposition Authority

By signing this agreement the Alabama Board of Examiners of Nursing Home Administrators acknowledges its responsibilities for the proper management of its records and agrees to abide by the implementation guidelines listed below.

- The Alabama Board of Examiners of Nursing Home Administrators will designate a

managerial position as the agency records officer. This position will be responsible for ensuring the development of quality record keeping systems that meet the business and legal needs of the board, for coordinating the transfer and destruction of records, and for ensuring the regular implementation of the board's approved RDA.

- The Alabama Board of Examiners of Nursing Home Administrators agrees to keep a signed copy of the RDA, to develop procedures for its regular implementation, to document the destruction of the records, and to submit a report on agency records management activities to the State Records Commission in April of each year.
- Despite the provisions of this authorization, no records may be destroyed that are necessary for agency compliance with requirements for the state Sunset Act, an agency audit, any legal notice, or subpoena.
- The Alabama Board of Examiners of Nursing Home Administrators will make every effort to maintain permanent records in a usable order, and under environmental conditions that will ensure their continued preservation while in the custody of the board.
- The Alabama Board of Examiners of Nursing Home Administrators agrees to allow the State Records Commission, its staff, and the Examiners of Public Accounts to examine into the condition of the permanent records maintained in the custody of the board and to inspect documentation on the destruction of public records.

By: _____ Date: _____
Katrina G. Magdon, Executive Secretary
Alabama Board of Examiners of Nursing Home Administrators

By: _____ Date: _____
Edwin C. Bridges, Chairman
State Records Commission