

OVERVIEW

THE AUDITOR
STATE OF HAWAII

Sunset Evaluation Update: Nursing Home Administrators

Summary

We evaluated the regulation of nursing home administrators under Chapter 457B, Hawaii Revised Statutes, and conclude that the public interest is best served by reenactment of the statute.

Nursing home administrators plan, organize, coordinate, and supervise health care and related services for nursing home residents. They manage the operations of skilled nursing facilities and nursing facilities (also known as intermediate care facilities). Most nursing home residents are single and over 75 years old; many will live in the facility for an extended period of time. The administrators are supposed to create an environment that would enhance the physical, mental, and psychological well-being of nursing home residents.

A seven-member Board of Examiners of Nursing Home Administrators regulates the occupation. The board is administratively attached to the Department of Commerce and Consumer Affairs, whose Professional and Vocational Licensing Division provides administrative services to the board.

Since our sunset evaluation update in 1985, improvements have been made in the regulatory program. Additional improvements are needed in several areas. The statute could be improved by defining a nursing home, requiring board representation of public members, clarifying experience requirements, strengthening grounds for disciplinary action, and allowing letters of recommendation from any licensed nursing home administrator. The administrative rules should be revised to remove the state laws examination requirement, set the length of internship training programs, and delete requirements for fitness, suitability, and photographs. The department could improve licensing operations by requiring notarized credentials, better documentation of applicant qualifications, and keeping accurate minutes of board meetings. Also, only completed applications should be brought to the board for action. An updated memorandum of understanding between the board and other state agencies would facilitate the sharing of information about the performance of nursing home administrators.

Recommendations and Response

The board agrees with our recommendation to reenact Chapter 457B, Hawaii Revised Statutes, to continue the regulation of nursing home administrators. The board also agrees that the statute should be amended to require public

representation on the board and to strengthen the grounds for disciplinary action. It does not agree with our recommendations to amend the statute to: (a) define a nursing home, (b) clarify experience requirements, and (c) allow five letters of recommendation from any licensed nursing home administrator. It believes that its administrative rules sufficiently define a nursing home and experience requirements. It defends the need for five letters of recommendation from nursing home administrators licensed in Hawaii on the basis that networking is an important element of the profession. Networking may be beneficial to nursing home administrators but does little for protecting the public's health, safety, and welfare.

Concerning our recommendations to amend its administrative rules, the board agrees that the length of internship training programs should be set in clock hours and that the requirements for fitness, suitability, and photographs should be deleted. It disagrees that a state laws examination should be removed because it feels that knowledge of Department of Health regulations is vital to all nursing home administrators. We believe that the need for an examination to prove familiarity with the rules is not necessary.

The board also agrees with our recommendations to improve the operations of the Professional and Vocational Licensing Division by requiring notarized documents and better documentation of applicant qualifications and to have only completed applications presented to the board. Based on additional information from the board, we modified our recommendation on the handling of incomplete applications. The board does not agree with our recommendation to improve departmental recordkeeping saying recordkeeping since 1990 has been accurate. We encourage the board to continue working with the department to see that records are accurately maintained. The board also agrees that its interagency memorandum of understanding could be updated to reflect departmental changes. The board should pursue efforts to work more closely with other agencies that also monitor the operation of nursing homes.

Marion M. Higa
State Auditor
State of Hawaii

Office of the Auditor
465 South King Street, Room 500
Honolulu, Hawaii 96813
(808) 587-0800
FAX (808) 587-0830