

# THE FLORIDA BOARD OF NURSING HOME ADMINISTRATORS

## ANNUAL REGULATORY PLAN 2019-20

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes*. The Plan covers the period beginning October 1, 2019 and ending September 30, 2020.

### PART ONE LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2019 Legislative Session which creates or modifies the duties or authority of the Board of Nursing Home Administrators. §120.74(1)(a), Fla. Stat.

Law Enacted or Modified on or after Oct. 1, 2017	Florida Statute (modified or created)	Rule (impacted)	Must Agency Adopt Rules?	If Rulemaking Necessary, Notice of Development Published in Florida Administrative Register?	Expected Publication Date for Notice of Proposed Rulemaking	If Rulemaking Not Necessary, Explain
Ch. 2019-152, Laws of Fla. Eff., July 1, 2019 (CS/CS/CS HB 851)	Created §456.0341, Fla. Stat. (Human Trafficking)	N/A	No	N/A	N/A	This provision of the statute is self-executing and does not mandate rulemaking. Further, a failure to comply with continuing education provisions is addressed upon attempted renewal of the license by the Department of Health.

**PART TWO**  
**LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING**

Part Two of this plan addresses those laws which the Board of Nursing Home Administrators intends to implement through rulemaking by July 1, 2019 that are otherwise not covered pursuant to Part One of this Plan. This Part does not include emergency rulemaking or any other rulemaking that may become necessary that was not evident to the Board at the time of the submission of this plan. Additionally, the listing of a law to be implemented does not mean the rule will necessarily be adopted or effective by July 1, 2020. §120.74(1)(b), Fla. Stat.

<b>Rule Number And Title</b>	<b>Law Expected to Be Implemented Through Rulemaking</b>	<b>Intent of Rulemaking</b>
64B10-11.001, F.A.C. (Application for Licensure)	§456.013, F.S., (Department; general licensing provisions) §456.0635, F.S., (Health care fraud; disqualification for license, certificate, or registration) §468.1685(2), F.S., (Powers and duties of board and department) §468.1695(1), F.S., (Licensure by examination) §468.1705, F.S., (Licensure by endorsement; temporary license)	Clarify and update/ new application
64B10-11.003 (Reexamination)	§456.017(2), F.S., (Examinations)	Clarify and Update/ new application

<p>64B10-14.004 (Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances)</p>	<p>§456.072, F.S., (Grounds for Discipline; penalties; enforcement)  §456.073, F.S., (Disciplinary proceedings)  §456.079, F.S., (Disciplinary guidelines)  §468.1685, F.S., (Powers and duties of board and department)  §468.1755, F.S., (Disciplinary proceedings)</p>	<p>Clarify and update</p>
<p>64B10-15.001, F.A.C. (Continuing Education for Licensure Renewal)</p>	<p>§456.013, F.S., (Department; general licensing provisions)  §468.1715(3), F.S., (Renewal of License)</p>	<p>Clarify; Increase Efficiency</p>
<p>64B10-15.003 (Initial Licensure Requirements)</p>	<p>§456.013, F.S., (Department; general licensing provisions)  §456.033, F.S., (Requirement for instruction for certain licensees on HIV and AIDS)  §468.1715, F.S., (Renewal of license)  §468.1725, F.S., (Inactive status)</p>	<p>Repeal; Reclassify in a more appropriate rule</p>

64B10-16.001 (General Information; Monitors)	§456.013, F.S., (Department; general licensing provisions) §468.1695, F.S., (Licensure by Examination)	Clarify and update/ new application
64B10-16.002 (Preceptor)	§468.1695, F.S., (Licensure by Examination)	Clarify and update/ new application

**PART THREE**  
**UPDATES TO PRIOR YEAR'S PLAN**

Part Three of the Plan address whether there are any updates to the prior year's regulatory plan. §120.74(1)(c), Fla. Stat.

- There are not any updates to the prior year's annual regulatory plan.

**PART FOUR**  
**CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat.**

The undersigned hereby certify that they have reviewed this Annual Regulatory Plan and that the Board of Nursing Home Administrators regularly reviews all of its rules to determine if the rules remain consistent with the Board's rulemaking authority and the laws being implemented, with the most comprehensive enhanced review having been completed on the 1st day of August, 2018 with continuing board review through August, 2019.

/S/ Henry Gerrity III  
Electronic Signature  
Henry Gerrity III  
Chair of the Board of  
Nursing Home Administrators

9/5/2019  
Date Signed

/S/ Rachelle Munson  
Electronic Signature  
Rachelle Munson  
Assistant Attorney General  
Counsel to the Board of  
Nursing Home Administrators

9/5/2019  
Date Signed