



REGULATORY AGENCY ACTION

(CE), but decided that its budget would not accommodate the start-up costs of getting CE legislation passed and hiring more staff to enforce the legislation. (See CRLR Vol. 10, No. 4 (Fall 1990) p. 96 for background information.) At its November meeting, SPAEC reaffirmed its commitment to the implementation of CE. The Committee further decided that it would try to work around budgetary problems and put the issue at the top of the agenda for its April meeting.

FUTURE MEETINGS:

April 18 in Long Beach.
June 28 in San Francisco.

BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

Executive Officer: Ray F. Nikkel
(916) 920-6481

Pursuant to Business and Professions Code section 3901 *et seq.*, the Board of Examiners of Nursing Home Administrators (BENHA) develops, imposes, and enforces standards for individuals desiring to receive and maintain a license as a nursing home administrator (NHA). The Board may revoke or suspend a license after an administrative hearing on findings of gross negligence, incompetence relevant to performance in the trade, fraud or deception in applying for a license, treating any mental or physical condition without a license, or violation of any rules adopted by the Board. BENHA's regulations are codified in Division 31, Title 16 of the California Code of Regulations (CCR). Board committees include the Administrative, Disciplinary, and Education, Training and Examination Committees.

The Board consists of nine members. Four of the Board members must be actively engaged in the administration of nursing homes at the time of their appointment. Of these, two licensee members must be from proprietary nursing homes; two others must come from nonprofit, charitable nursing homes. Five Board members must represent the general public. One of the five public members is required to be actively engaged in the practice of medicine; a second public member must be an educator in health care administration. Seven of the nine members of the Board are appointed by the Governor. The Speaker of the Assembly and the Senate Rules Committee each appoint one member. A member may serve for no more than two consecutive terms.

MAJOR PROJECTS:

Residential Care Facility Administrator Certification Study. The Department of Social Services' (DSS) advisory committee had until December 1 to release its study on which state agency is best suited to implement the certification process for administrators of residential care facilities for the elderly (RCFE). (See CRLR Vol. 10, No. 4 (Fall 1990) p. 96 and Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 112 for background information.) DSS failed to release its study by that deadline; it now expects to release its report in early 1991.

RECENT MEETINGS:

At BENHA's October 26 meeting, Executive Officer Ray Nikkel introduced proposed continuing education guidelines pursuant to AB 1834 (Connelly) (Chapter 816, Statutes of 1987), which requires NHAs to complete 25% of their continuing education (CE) requirement in the areas of "Aging and Patient Care." The proposed guidelines specify types of CE courses BENHA will accept to fulfill this requirement.

Courses in aging relate to the biological, mental, and sociological aspects of aging. Examples of acceptable courses include those which address the special dietary needs of the elderly; the psychological implications of institutionalization; and protecting the elderly in a restraint-free environment. Acceptable courses in the patient care category must directly relate to patient care, including the physical aspects of care, such as treatment of pressure ulcers; the psychological aspects of care, such as identifying and treating elderly depression; and the sociological aspects of care, such as activities designed to improve socialization skills. BENHA also approves courses focusing on patients' rights in skilled nursing facilities.

At BENHA's December 11 meeting, the Board approved a letter to be sent to preceptors, thanking them for participating in BENHA's administrator-in-training (AIT) program. The letters will be sent upon completion of each preceptor's field work with an AIT. All AITs are required to complete a 1,000-hour internship prior to taking the NHA exam. Any skilled nursing facility may participate in the program, although BENHA will not approve an AIT sponsorship when the facility has had licensing problems. BENHA holds one-day preceptor training sessions every two months. (See CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 112 for background information.)

Also at the December 11 meeting, Executive Officer Ray Nikkel presented

a report on the November meeting of the National Association of Boards of Examiners for Nursing Home Administrators (NAB). Of major concern to NAB members is U.S. Representative Henry Waxman's (D-California) addition of a section in the federal budget bill which proposes to remove federal requirements for individual state boards regulating nursing home administrators. Mr. Nikkel opined that Representative Waxman's action may be prompted by the belief that when the Health Care Financing Administration (HCFA) releases its national nursing home administrator standards, HCFA or the U.S. Department of Health and Human Services (DHHS) will enforce those standards on a national basis; therefore, state boards may be deemed duplicative and unnecessary. Mr. Nikkel expressed concern as to whether a federal agency will be able to effectively administer state exams and oversee the qualification process of administrators.

FUTURE MEETINGS:

To be announced.

BOARD OF OPTOMETRY

Executive Officer: Karen Ollinger
(916) 739-4131

Pursuant to Business and Professions Code section 3000 *et seq.*, the Board of Optometry is responsible for licensing qualified optometrists and disciplining malfeasant practitioners. The Board establishes and enforces regulations pertaining to the practice of optometry, which are codified in Division 15, Title 16 of the California Code of Regulations (CCR). The Board's goal is to protect the consumer patient who might be subjected to injury resulting from unsatisfactory eye care by inept or untrustworthy practitioners.

The Board consists of nine members. Six are licensed optometrists and three are members of the community at large. Two of the Board's positions which are reserved for licensed optometrists are presently vacant.

MAJOR PROJECTS:

Board Responds to Critical Management Study. The Board recently commissioned Ernst & Young to perform a management, procedural, and workload measurement study of the Board's operations. The study, which was presented to the Board on September 4, cites chronic understaffing and the cyclical nature of examination activities as sources of major problems for the Board. At the Board's November 29 meeting, Board