

*Mississippi State Board of Nursing Home Administrators*

*1755 Lelia Drive, Suite 305*

*Jackson, MS 39216*

Pursuant to the authority vested in the Mississippi State Board of Nursing Home Administrators, the said Board has promulgated and by these presents, does hereby publish Rules and Regulations of the Mississippi State Board of Nursing Home Administrators of the State of Mississippi as authorized by the Laws of the State of Mississippi, Chapter 17, of the Mississippi Code of 1972, amended, to be effective June 30, 2011.

Thomas E. Hill, Chairman

Mark A. Adams

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Brian Cain

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(Last updated 06/30/11)

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RULES AND REGULATIONS OF THE  
MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS

**Title 30: Professions and Occupations**

**Part 2701: Organization and Structure**

**Part 2701 Chapter 1: Organization and Structure**

Rule 1.1      Source of Authority: Title

The Rules and Regulations herein contained constitute, comprise, and shall be known as the "Rules and Regulations of the Mississippi State Board of Nursing Home Administrators," and are hereby promulgated pursuant to the authority granted to, and imposed upon, the said Board under and pursuant to the provisions of the State licensing statute (Sections 73-17-1 et seq. of the Mississippi Code of 1972, Annotated).

Source: *Miss. Code Ann. Sections 73-17-7(2) and 73-17-9(Rev. 2008).*

Rule 1.2      General Definitions

- A. Whenever used in these Rules and Regulations, unless expressly otherwise stated, or unless the context or subject matter requires a different meaning, the following terms shall have the respective meanings hereinafter set forth or indicated:
- (1) "Nursing Home Administrator" or "administrator" means any individual who is charged with the general administration of a nursing home, whether or not such an individual has an ownership interest in such home and whether or not the functions and duties are shared with one or more other individuals.
  - (2) "General administration of a nursing home" shall mean the duties of administrative performance and the making of day-to-day decisions involved in the planning, organizing, directing, and/or controlling of a nursing home. In the performance of day-to-day operations, the administrator shall be full-time (i.e., forty (40) hours per week or more) and spend at least five (5) days a week, eight (8) hours per day on the premises and a major portion of that time shall be during the normal work week when the key personnel are on duty (i.e., Monday - Friday).
  - (3) "Nursing home" or "long-term health care facility" means a place, either governmental or private, either profit or nonprofit, which provides group living arrangements for four (4) or more persons who are unrelated to the

operator and who are being provided food, shelter and personal care, and which employs at least one (1) registered nurse or licensed practical nurse. The term "nursing home" or "long-term health care facility" does not include hospitals, clinics, and other institutions devoted primarily to providing medical service.

- (4) "Act" means the Nursing Home Administration Act of 1970, being sections 73-17-1 through 73-17-15 of the Mississippi Code of 1972, Annotated, and amendments thereto.
- (5) "Board" means the Mississippi State Board of Nursing Home Administrators.
- (6) "Person" means an individual and does not include the terms firm, corporation, association, partnership, institution, public body, joint stock association or any other group of individuals.
- (7) "Administrator-in-Training" is an individual, registered with the Board, who is pursuing the prescribed program required by the Board under these Rules and Regulations. (See Part 2703, Chapter 1, Rule 1.3)
- (8) "Preceptor" means a full-time practicing Nursing Home Administrator certified to serve as such, in the prescribed program required by the Board under these Rules and Regulations. (See Part 2703, Chapter 1, Rule 1.3)
- (9) "NAB" means the National Association of Boards of Examiners of Long Term Care Administrators.
- (10) "NAB Examination" is one of the required examinations for license as a nursing home administrator. The Mississippi State Board of Nursing Home Administrators contracts with NAB to develop the exam, as well as to set forth procedures for administration and the scoring of the exam. The "NAB Examination" is administered by the computer based method.
- (11) "Endorsement" means reciprocity as described in Mississippi Code Ann. 73-17-11.
- (12) "Direct management responsibility over one or more nursing homes" means an individual who has supervisory control over one or more nursing home administrators of one or more nursing facilities and has authority to substitute his or her judgment for that of the administrator of record in the day-to-day operation of the facility.

Source: *Miss. Code Ann. Sections 73-17-5 and 73-17-7(2)*(Rev. 2008).

Rule 1.3      Board of Nursing Home Administrators

A.      Composition

The Board shall consist of seven (7) members in addition to the state health officer or his designee, as outlined in Section 73-17-7 of the Act.

B.      Meetings

- (1)      The Board shall meet regularly at least once every calendar quarter.
- (2)      The Chairman, or Vice-Chairman acting for and in the absence of the Chairman, may call special meetings thereof when, in his judgment, circumstances or functions of the Board require it.
- (3)      Upon written petition of a simple majority of the members of the Board, the Chairman, or Vice-Chairman acting for and in the absence of the Chairman, shall call a special meeting for the purposes cited in said petition.

C.      General Powers

- (1)      The Board shall exercise such powers as provided by the laws of this state pertaining to the licensing and registration of nursing home administrators.
- (2)      From time to time the Board may make and publish such rules and regulations not inconsistent with the Act and other applicable laws as it may deem necessary and proper for the execution and enforcement of the laws and rules and regulations governing the licensing and registration of nursing home administrators.

D.      Officers and Duties

- (1)      The Board shall elect annually from its members a Chairman and a Vice-Chairman. The terms of said officers shall commence on July 1, and end on June 30 of the following year.
- (2)      The Chairman shall preside at all meetings of the Board, and shall sign all official documents of the Board. In the absence of the Chairman, the Vice-Chairman shall preside at the meetings, and perform all duties

usually performed by the Chairman.

- (3) Should the office of Vice-Chairman be vacated, the majority of the Board shall elect a Vice-Chairman.
- (4) The Board shall employ an Executive Director who shall not be a member of the Board.
- (5) In addition to the duties imposed by law, the Executive Director shall:
  - a. attend all meetings of the Board;
  - b. keep a full, complete record of the minutes of said meetings;
  - c. notify the members of the Board of the time and place fixed for meetings of the Board;
  - d. prepare and circulate to the members of the Board a written agenda approximately five (5) days prior to each meeting;
  - e. maintain the records pertaining to licensees and registrants and the Rules and Regulations;
  - f. Conduct all routine correspondence of the Board;
  - g. issue all notices of meetings and hearings;
  - h. have custody of all books, records, and property of the Board;
  - i. annually, within sixty (60) days of the end of the fiscal year, submit books to the State Audit Department for an audit;
  - j. distribute any audit results, on receipt, to all members of the Board for review;
  - k. receive all monies payable to the Board, disburse funds, and keep such financial records as are approved by the Board;
  - l. be bonded as set forth in Section 73-17-7 (4) of the Act; and
  - m. perform all duties pertaining to the office of Executive Director.
- (6) The Chairman shall be authorized to appoint any committee he

deems necessary.

E. Oral Proceedings on Proposed Rules

- (1) **Scope.** This rule applies to all oral proceedings held for the purpose of providing the public with an opportunity to make oral presentations on proposed new rules and amendments to rules before the Department pursuant to S25-43-3.104.
- (2) **When Oral Proceedings will be Scheduled on Proposed Rules.** The Department will conduct an oral proceeding on a proposed rule or amendment if requested by a political subdivision, an agency or ten (10) persons in writing within twenty (20) days after the filing of the notice of the proposed rule.
- (3) **Request Format.** Each request must be printed or typewritten, or must be in legible handwriting. Each request must be submitted on standard business letter-size (8-1/2 inches by 11 inches). Requests may be in the form of a letter addressed to the Department and signed by the requestor(s).
- (4) **Notification of Oral Proceeding.** The date, time and place of all oral proceedings shall be filed with the Secretary of State's office and mailed to each requestor. The oral proceedings will be scheduled no earlier than twenty (20) days from the filing of this information with the Secretary of State.
- (5) **Presiding Officer.** The Commissioner or his designee, who is familiar with the substance of the proposed rule, shall preside at the oral proceeding on a proposed rule.
- (6) **Public Presentation and Participation.**
  - (a) At an oral proceeding on a proposed rule, persons may make oral statements and make documentary and physical submissions, which may include data, views, comments or arguments concerning the proposed rule.
  - (b) Persons wishing to make oral presentations at such a proceeding shall notify the Department at least one business day prior to the proceeding and indicate the general subject of their presentations. The presiding officer in his or her discretion may allow individuals to participate that have not



previously contacted the Department.

- (c) At the proceeding, those who participate shall indicate their names and addresses, identify any persons or organizations they may represent, and provide any other information relating to their participation deemed appropriate by the presiding officer.
- (d) The presiding officer may place time limitations on individual oral presentations when necessary to assure the orderly and expeditious conduct of the oral proceeding. To encourage joint oral presentations and to avoid repetition, additional time may be provided for persons whose presentations represent the views of other individuals as well as their own views.
- (e) Persons making oral presentations are encouraged to avoid restating matters that have already been submitted in writing.
- (f) There shall be no interruption of a participant who has been given the floor by the presiding officer, except that the presiding officer may in his or her discretion interrupt or end the participant's time where the orderly conduct of the proceeding so requires.

(7) Conduct of Oral Proceeding.

- (a) Presiding officer. The presiding officer shall have authority to conduct the proceeding in his or her discretion for the orderly conduct of the proceeding. The presiding officer shall (i) call proceeding to order; (ii) give a brief synopsis of the proposed rule, a statement of the statutory authority for the proposed rule, and the reasons provided by the Department for the proposed rule; (iii) call on those individuals who have contacted the Department about speaking on or against the proposed rule; (iv) allow for rebuttal statements following all participants' comments; (v) adjourn the proceeding.
- (b) Questions. The presiding officer, where time permits and to facilitate the exchange of information, may open the floor to questions or general discussion. The presiding officer may question participants and permit the questioning of participants by other participants about any matter relating to that rule-

making proceeding, including any prior written submissions made by those participants in that proceeding; but no participant shall be required to answer any question.

- (c) **Physical and Documentary Submissions.** Submissions presented by participants in an oral proceeding shall be submitted to the presiding officer. Such submissions become the property of the Department and are subject to the Department's public records request procedure.
- (d) **Recording.** The Department may record oral proceedings by stenographic or electronic means.

F. **Declaratory Opinions**

- (1) **Scope.** These rules set forth the Mississippi State Board of Nursing Home Administrators' (MSBNHA), hereinafter MSBNHA, rules governing the form and content of requests for declaratory opinions, and the MSBNHA's procedures regarding the requests, as required by Mississippi Code S25- 43-2.103. These rules are intended to supplement and be read in conjunction with the provisions of the Mississippi Administrative Procedures Law, which may contain additional information regarding the issuance of declaratory opinions. In the event of any conflict between these rules and the Mississippi Administrative Procedures Law, the latter shall govern.
- (2) **Persons Who May Request Declaratory Opinions.** Any person with a substantial interest in the subject matter may request a declaratory opinion from the MSBNHA by following the specified procedures. "Substantial interest in the subject matter" means: an individual, business, group or other entity that is directly affected by the MSBNHA's administration of the laws within its primary jurisdiction. "Primary jurisdiction of the agency" means the agency has a constitutional or statutory grant of authority in the subject matter at issue.
- (3) **Subjects Which May Be Addressed in Declaratory Opinions.** The MSBNHA will issue declaratory opinions regarding the applicability to specified facts of:
  - (1) a statute administered or enforced by the MSBNHA or

- (2) a rule promulgated by the MSBNHA. The MSBNHA will not issue a declaratory opinion regarding a statute or rule which is outside the primary jurisdiction of the agency.
  
- (4) **Circumstances In Which Declaratory Opinions Will Not be Issued.** The MSBNHA may, for good cause, refuse to issue a declaratory opinion. The circumstances in which declaratory opinions will not be issued include, but are not necessarily limited to:
  - (a) lack of clarity concerning the question presented;
  - (b) there is pending or anticipated litigation, administrative action, or other adjudication which may either answer the question presented by the request or otherwise make an answer unnecessary;
  - (c) the statute or rule on which a declaratory opinion is sought is clear and not in need of interpretation to answer the question presented by the request;
  - (d) the facts presented in the request are not sufficient to answer the question presented;
  - (e) the request fails to contain information required by these rules or the requestor failed to follow the procedure set forth in these rules;
  - (f) the request seeks to resolve issues which have become moot, or are abstract or hypothetical such that the requestor is not substantially affected by the statute or rule on which a declaratory opinion is sought;
  - (g) no controversy exists concerning the issue as the requestor is not faced with existing facts or those certain to arise which raise a question concerning the application of the statute or rule;
  - (h) the question presented by the request concerns the legal validity of a statute or rule;
  - (i) the request is not based upon facts calculated to aid in the planning of future conduct but is, instead, based on past

conduct in an effort to establish the effect of that conduct;

- (j) no clear answer is determinable;
  - (k) the question presented by the request involves the application of a criminal statute or a sets of facts which may constitute a crime;
  - (l) the answer to the question presented would require the disclosure of information which is privileged or otherwise protected by law from disclosure;
  - (m) The question is currently the subject of an Attorney General's opinion request or has been answered by an Attorney General's opinion;
  - (n) A similar request is pending before this agency or any other agency or a proceeding is pending on the same subject matter before any agency, administrative or judicial tribunal, or where such an opinion would constitute the unauthorized practice or law.
  - (o) Where issuance of a declaratory opinion may adversely affect the interests of the State, the MSBNHA or any of their officers or employees in any litigation which is pending or may reasonably be expected to arise;
  - (p) The question involves eligibility for a license, permit, certificate or other approval by the MSBNHA or some other agency, and there is a statutory or regulatory application process by which eligibility for said license, permit, certificate or other approval would be determined.
- (5) **Written Request Required.** Each request must be printed or typewritten, or must be in legible handwriting. Each request must be submitted on standard business letter-sized paper (8-1/2 inches by 11 inches). Requests may be in the form of a letter addressed to the MSBNHA.
- (6) **Where to Send Requests.** All requests must be mailed, delivered or transmitted via facsimile to the MSBNHA. The request shall clearly state that it is a request for a declaratory opinion. No oral, telephone requests or email requests will be accepted for official opinions.

- (7) Name, Address and Signature of Requestor. Each request must include the full name, telephone number, and mailing address of the requestor. All requests shall be signed by the person filing the request, who shall attest that the request complies with the requirements set forth in these rules, including but not limited to a full, complete, and accurate statement of relevant facts and that there are no related proceedings pending before any other administrative or judicial tribunal.
- (8) Question Presented. Each request shall contain the following:
- (a) a clear and concise statement of all facts on which the opinion is requested;
  - (b) a citation to the statute or rule at issue;
  - (c) the question(s) sought to be answered in the opinion, stated clearly;
  - (d) a suggested proposed opinion from the requestor, stating the answers desired by petitioner and a summary of the reasons in support of those answers;
  - (e) the identity of all other known persons involved in or impacted by the described factual situation, including their relationship to the facts, name, mailing address and telephone number; and
  - (f) a statement to show that the person seeking the opinion has a substantial interest in the subject matter.
- (9) Time for MSBNHA's Response. Within forty-five (45) days after the receipt of a request for a declaratory opinion which complies with the requirements of these rules, the MSBNHA shall, in writing:
- (a) issue a declaratory opinion regarding the specified statute or rule as applied to the specified circumstances;
  - (b) decline to issue a declaratory opinion, stating the reasons for its action; or
  - (c) agree to issue a declaratory opinion by a specified time but not later than ninety (90) days after receipt of the written request; The forty-five (45) day period shall begin running on

the first State of Mississippi business day on or after the request is received by the MSBNHA, whichever is sooner.

- (10) **Opinion Not Final for Sixty Days.** A declaratory opinion shall not become final until the expiration of sixty (60) days after the issuance of the opinion. Prior to the expiration of sixty (60) days, the MSBNHA may, in its discretion, withdraw or amend the declaratory opinion for any reason which is not arbitrary or capricious. Reasons for withdrawing or amending an opinion include, but are not limited to, a determination that the request failed to meet the requirements of these rules or that the opinion issued contains a legal or factual error.
- (11) **Notice by MSBNHA to third parties.** The MSBNHA may give notice to any person, agency or entity that a declaratory opinion has been requested and may receive and consider data, facts, arguments and opinions from other persons, agencies or other entities other than the requestor.
- (12) **Public Availability of Requests and Declaratory Opinions.** Declaratory opinions and requests for declaratory opinions shall be made available for public inspection and copying in accordance with the Public Records Act and the MSBNHA's public records request procedure. All declaratory opinions and requests shall be indexed by name and subject. Declaratory opinions and requests which contain information which is confidential or exempt from disclosure under the Mississippi Public Records Act or other laws shall be exempt from this requirement and shall remain confidential.
- (13) **Effect of a Declaratory Opinion.** The MSBNHA will not pursue any civil, criminal or administrative action against a person who is issued a declaratory opinion from the MSBNHA and who, in good faith, follows the direction of the opinion and acts in accordance therewith unless a court of competent jurisdiction holds that the opinion is manifestly wrong. Any declaratory opinion rendered by the MSBNHA shall be binding only on the MSBNHA and the person to whom the opinion is issued. No declaratory opinion will be used as precedent for any other transaction or occurrence beyond that set forth by the requesting person.

#### G. Public Records

All public requests to inspect, copy or mechanically reproduce or obtain a reproduction of any public record of the Mississippi State Board of Nursing

Home Administrators (Board) must be submitted in writing to: Mississippi State Board of Nursing Home Administrators, 1755 Lelia Drive, Suite 305, Jackson, Mississippi 39216. This rule is not intended to apply to any record or other document, which is exempted or privileged under the provisions of the Mississippi Public Records Act.

The written request must be typed or clearly handprinted on a letter size piece of paper and must specify in detail the public record(s) sought. The request must include a description of the type of record, dates, title of a publication, and other information which may aid in locating the record. No verbal or telephone requests for records will be accepted.

Under the Public Records Act, documents that are exempt from public access to records include, but are not limited to, personnel records, appraisal records, attorney communications and work products of attorneys, academic records, third party confidential, commercial or financial information, licensure applications and examination records, and individual tax records.

The Board, upon receipt of any public records request, shall review same and determine whether the records sought are exempt or privileged by law and shall either produce the records or allow access to records or deny access to or production of the records sought within seven (7) working days of the receipt of the request by the Board. If the Board is unable to produce a public record by the seventh working day after the request is made, the Board will provide the requester with a written explanation stating that the record requested will be produced and specify the reason why the records cannot be produced within the seven-day period. Unless there is mutual agreement between the Board and the requester, the date of production of the requested record will be no later than fourteen (14) working days from the Board's receipt of the original public record request.

When a request for information is made for documents furnished to the Board by a third party, the Board will give notice of the request to the third party as required by the Public Records Act. Third party information will not be released without the prior written consent of the third party authorizing the release of the information and/or until the third party has been provided with notice of the public records request and an opportunity to seek a court order protecting such records from public review. No third party information will be released by the Board if the third party obtains a court order prohibiting the disclosure of such information.

All inspection, copying or mechanical reproduction shall be done in the offices

of the Board or such other reasonable place within the State of Mississippi as may be designated by the Board.

When possible, nonexempt material will be separated from exempt material and only the exempt material will be withheld. If the Board determines that the records requested are exempt or privileged under the law, the request shall be denied and the person making the request will be provided a statement of the specific reasons for the denial. Such denials shall be kept on file for inspection by any person for three (3) years from the date such denials are made.

Public records of the Board will be made available at the Board office during regular hours (8:00 a.m. through 5:00 p.m., Monday through Friday) by appointment.

The requester must pay the Board in advance for the cost of searching, obtaining from storage, reviewing, shipping and/or duplicating the requested records. Such payment must be sufficient to cover the actual costs to the Board of complying with the public records request. There shall be a charge of \$1.00 per page for each copy. Copies printed on both sides (front and back) shall be considered as two pages for copy charge purposes. Mailing cost shall be calculated at the applicable rate for each such mailing. If the request involves notice being given to a third party, the cost of mailing such notice to the third party shall be charged to the requester. Cost of obtaining records from any state storage facilities and the search for the records shall be charged to the requester. If the actual cost of a public records request exceeds the estimated cost provided to the requester, the requester will be required to pay the Board the difference between the amounts paid in advance by the requester and the actual cost of supplying the record to the requester.

Payment by the public records requester must be made by money order or certified check.

The Board has also established a schedule of standard fees for frequently requested documents and information, directory or labels of licensed Nursing Home administrators, and electronically accessible data. The schedule of standard documents and fees is listed below.

#### H. Fee Schedule

All fees and costs are to be paid by check, cashier's check, money order, or credit card to the Board, with the appropriate form or request attached, unless



otherwise specified. All fees and costs are *non-refundable*.

Application Fees:

Administrator-in-Training Application (incl. State Study Pkt)	\$250.00
Endorsement/Reciprocity Application (incl. State Study Pkt)	\$250.00
Reinstatement Application	\$250.00
Temporary Permit Application	\$225.00

License Fees:

Renewal Fee	\$550.00
Renewal Late Fee	\$150.00
Temporary Permit Fee	\$50.00
Reinstatement Fee	\$550.00

Continuing Education

Fees: Sponsor

Fees:

1-6 hours \$200.00

An additional \$30.00 fee for each hour or portion thereof above the 6 CE hours

\$30.00

Each additional presentation of same program \$100.00

Individual Request Fee \$50.00

Preceptor Precepting an A.I.T. Individual Request Fee \$30.00

per hour requested

Fee for Release of Licensure Information to Another State Board (Endorsement Questionnaire) \$50.00

Administer Two Facilities Request Fee \$200.00

Duplicate Large License \$50.00

Duplicate Small License \$25.00

ID Card Replacement \$25.00

State Test Fee \$150.00

State Study Packet \$50.00  
(Designed for preparation for the State Test)

Preceptor Certification Program Fee – three weeks prior		
	(both days)	\$400.00
	(one day only)	\$300.00
Preceptor Certification Program Fee	(both days)	\$425.00
	(one day only)	\$325.00
Preceptor Program Notebook Replacement		\$100.00
Change of Information Research/Return Fee		\$25.00 per incident
Returned Check Fee		\$50.00
Directory of Licensed Administrators (Emailed Excel Spreadsheet)		\$100.00
Rules and Regulations		Cost of Duplication

Source: *Miss. Code Ann. Sections 73-17-7, 73-17-11(3) and (4) and 73-17-17-15(1)*(Rev. 2008); *Miss. Code Ann. Sections 25-41-5(2), 25-41-11 and 25-41-13(1)*(Rev. 2010); *Miss. Code Ann. Sections 25-43-2.103, 25-43-2.104 and 25-43-3.104*(Rev. 2010); and *Miss. Code Ann. Sections 25-61-1 through 25-61-12*(Rev. 2010).

Rule 1.4      Applicability, Legal Effect, Separability

- A. Every rule, regulation, order, and direction adopted by the Board shall state the date on which it takes effect and a copy thereof signed by the Chairman of the Board, and shall be filed as a public record in the office of the Board and in the office of the Secretary of State.
- B. The Rules and Regulations of the Board are intended to be consistent with the applicable Federal and State laws and shall be construed, whenever necessary to achieve such consistency.
- C. In the event that any provision of these Rules and Regulations is declared unconstitutional or invalid, the applicability of such provision to other persons and circumstances and the constitutionality or validity of every other provision of these Rules and Regulations shall not be affected thereby.

- D. These Rules and Regulations shall not affect pending actions or proceedings, civil or criminal, but the same may be prosecuted or defended in the same manner and with the same effect as though these Rules and Regulations had not been promulgated.
- E. The Board shall furnish one (1) copy of these Rules and Regulations and any amendment thereof, without charge to each licensed nursing home administrator. Additional copies shall be made available at a nominal cost.
- F. Prior to the adoption, amendment, or repeal of any rule, the Board shall give at least ten (10) days' notice of its intended action to all registered nursing home administrators. The notice shall be mailed to the last known address of each registered nursing home administrator. The notice shall be effective when mailed by the Board, whether it is actually received by the person entitled to notice or not. The notice shall include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved and the time when, the place where, and the manner in which registered nursing home administrators may present their views thereon.
- G. If the Board finds that an imminent peril to the public health, safety or welfare requires adoption of a rule upon fewer than ten (10) days' notice and states in writing its reasons for that finding, it may proceed without prior notice or hearing upon any abbreviated notice and hearing that it finds practicable, to adopt an emergency rule. The rule may be effective for a period of not longer than 120 days, but the adoption of an identical rule as a permanent part of these Rules and Regulations is not precluded.
- H. No rule adopted on or after August 1997, is valid unless adopted in substantial compliance with this Section, provided however, that the inadvertent failure to mail notice to any person as provided in this Section shall not invalidate any rule adopted hereunder.
- I. An interested person may petition an agency requesting the promulgation, amendment, or repeal of a rule. The Board shall prescribe the form for petitions and the procedure for their submission of a petition. The Board shall either deny the petition in writing, stating the reason for the denial, or shall initiate rulemaking proceedings.
- J. In addition to the above, the rules or parliamentary procedure as laid down in "Robert's Rules of Order, Newly Revised" shall govern all meetings of the Board.
- K. These revised Rules and Regulations shall take effect the First Day of August, 2002, and shall replace those Rules and Regulations previously effective July 1,

1975, and amendments thereto by Board action November 21, 1975, April 6, 1976, July 1, 1976, July 1, 1977, May 10, 1978, May 16, 1979, July 1, 1979, November 20, 1980, May 14, 1981, February 10, 1983, July 1, 1983, April 12, 1984, May 24, 1984, March 14, 1986, April 14, 1987, July 1, 1988, June 20, 1989, December 12, 1990, September 10, 1991, October 1, 1992, August 15, 1993, May 25, 1995, May 15, 1997, July 15, 1997, August 25, 1997, January 1, 2000, February 1, 2000, July 1, 2000, November 1, 2000, July 1, 2001, December 1, 2001, March 1, 2002, Sept. 1, 2002, February 6, 2003, September 1, 2003, March 1, 2004, April 1, 2006, January 1, 2007, October 1, 2007, April 1, 2008, June 1, 2008, December 1, 2008, March 1, 2009, July 24, 2009, September 1, 2009, March 1, 2010, June 1, 2010, June 30, 2011

Source: *Miss. Code Ann. Section 73-17-7(2)*(Rev. 2008); and *Miss. Code Ann. Section 25-43-3.108*(Rev. 2010).