

1 10A NCAC 13G .1501 is adopted with changes as published in 31:06 NCR, pp. 474-478, as follows:

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37

**SECTION .1500 – ADMINISTRATOR APPROVAL AND RENEWAL**

**10A NCAC 13G .1501 ADMINISTRATOR APPROVAL**

(a) Each family care home shall have an administrator that has been approved by the Department pursuant to this Rule.

(b) Applicant administrators shall meet the following qualifications:

- (1) be 21 years of age or older;
- (2) provide a satisfactory criminal background report by providing to the Department the submissions required by:
  - (A) ~~from the State Repository of Criminal Histories, that shall be provided by the State Bureau of Investigation upon its receiving fingerprints of the applicant from the Division of Health Service Regulation, unless~~ if the applicant has been a resident of this State for less than five years, years or more; or
  - (B) ~~requiring the applicant to provide a satisfactory criminal background report from both the State and National Repositories of Criminal Histories;~~ Histories, if the applicant has been a resident of this State for less than five years;
- (3) complete an approved administrator-in-training program listed on the website at <http://ncdhhs.gov/dhsr/acls/adminguidelines.html> and consisting of a minimum of 20 hours of instruction in N.C. Assisted Living laws and statutes, human ~~resources~~ resources, and business management, and a minimum of 100 hours of on-the-job training in an assisted living facility;
- (4) complete with 75 percent accuracy a written examination administered by the Department within 12 months of completing the administrator-in-training program; and
- (5) be at least a high school graduate or certified under the GED Program.

(c) For the purpose of this Rule, a satisfactory criminal background report means:

- (1) no conviction by any jurisdiction of a felony for which prison time was served unless rights of citizenship have been restored and all of the following have been considered and determined by the Department to allow approval:
  - (A) the date of conviction;
  - (B) the circumstances surrounding the committing of the crime, if known;
  - (C) the nexus between the criminal conduct of the person and job duties; and
  - (D) the prison, jail, probation, parole, rehabilitation and employment records of the person since the date the crime was committed;
- (2) no conviction by any jurisdiction of a misdemeanor unless all terms of the judgment imposed for said misdemeanor have been met and the following have been considered and determined by the Department to allow approval:

- 1 (A) the date of conviction;
- 2 (B) the circumstances surrounding the committing of the crime, if known;
- 3 (C) the nexus between the criminal conduct of the person and job duties; and
- 4 (D) the prison, jail, probation, parole, rehabilitation and employment records of the person
- 5 since the date the crime was committed.

6

7 *History Note:* Authority G.S. 131D-2.16; G.S. 131D-4.3; 143B-165;

8 Eff. April 1, 2017.