



State of Idaho

Division of Occupational and Professional Licenses Idaho Board of Examiners of Residential Care Facility Care Facility Administrators

BRAD LITTLE
Governor
RUSSELL BARRON
Administrator

11341 W Chinden Blvd.
P.O. Box 83720
Boise, ID 83720-0063
(208) 334-3233
dopl.idaho.gov

Board Meeting Minutes of 3/13/2024

Board Members Present: Robert "Chuck" Bosen - Chair
Mary Zarybnisky

Division Staff: Cesley Metcalfe, Executive Officer
Greg Loos, General Counsel
Allegra Earl, Licensing Supervisor
Madyson Crea, Board Support Specialist

Board Members Absent: Jerry Parmeley

The meeting was called to order at 9:00 AM by Robert "Chuck" Bosen.

BOARD BUSINESS

NAB 2024 Annual Meeting Delegate: A motion was made and seconded to authorize one member of the Board or Board staff to attend the NAB 2024 Annual Meeting as a voting delegate. The motion carried.

Zero-Based Regulation: The Board continued its review of the administrative rules for Zero-Based Regulation (ZBR). Mr. Loos reviewed draft changes made at the previous Board meeting and the following rules. Unless stated otherwise, the following changes are being contemplated, pending notice of intent to promulgate rulemaking, stakeholder input, and final votes by the Board:

Rule 004 – Incorporation by Reference: The Board added “and adopted” to strengthen the language and enable the deletion of Rule 650.03.

Rule 100 – Applications: The Board removed the last sentence as duplicative of Idaho Code § 67-2604(1)(m).

Rule 150 – Qualifications for Administrator License: The Board struck this rule as duplicative of Idaho Code § 54-4206.

Rule 150.01 – Criminal Background Check: The Board discussed whether it is necessary to retain this rule. After input from Tom Moss, Idaho Health and Welfare, and Robert Vande Merwe, Idaho Health Care Association, the Board retained the requirement to submit a background check but struck everything after ‘approved by the Board’ as duplicative of Idaho Code § 67-9411.

Rule 150.02 – Education and Experience: The Board struck this rule in its entirety as duplicative of Idaho Code § 54-4206.

Rule 150.04 – Examination: The Board reworded this rule with requirements from Rule 300.01 for conciseness and clarity and to enable the deletion of Rule 300.

Rule 300 – Examinations: The Board struck this rule after moving the successful passage of the NAB exam to Rule 150.04. The remaining requirements are either in the control of the exam provider or in the case of the jurisprudence exam, removed as in conflict with Idaho Code § 67-9409(4).

Rule 400.01 – Approved Course: The Board struck the reference in subsection a to the Idaho Center for Assisted Living (ICAL) course after receiving input from the Association that this no longer exists. The Board struck subsection b as covered by Rule 400.02.

Rule 401.01 – Minimum Hours Required: The Board updated this requirement to 12 hours of job-related continuing education relevant to residential care administration in a 24-month period. The changes align with a two-year renewal cycle, reduce regulatory burden by lowering the required continuing education (CE) hours, and mirror CE requirement language provided by Health and Welfare for facility employees.

Rule 401.02 – Course Approval: The Board simplified this by rewording the requirements and consolidating them into one paragraph.

Rule 401.03 – Credit: The Board struck this because the components of this requirement either have a common meaning, are controlled by the course provider, or are an unnecessary burden on licensees.

Rule 401.04 – Special Exemption: The Board changed the title to ‘Waiver’ and reworded this for clarity and conciseness.

Rule 450 – Scope of Practice: The Board struck this rule as unnecessary direction that administrators must meet licensure requirements and maintain documentation of such.

Rule 650.01 – Civil Fine: The Board struck this rule to align with statutory authority.

Rule 650.03 – Code of Ethics: The Board struck this rule as duplicative of the Code of Ethics incorporated by reference.

Adjourn

There being no further business, the meeting was adjourned at 10:12 AM.

The next meeting is on 04/10/2024.