

## Arizona Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers

**CONCLUSION:** The Arizona Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers (Board) regulates nursing care institution administrators (licensed administrators) and assisted living facility managers (certified managers) in Arizona through licensure and certification, investigating and resolving complaints, and providing information to the public about the status of licenses and certificates. We found that the Board should verify that license/certificate applicants meet statutory requirements to legally work in Arizona and possess a valid fingerprint clearance card, investigate and adjudicate complaints in a timely manner, and provide accurate information to the public. Additionally, the Board should ensure that it accurately, consistently, and fairly assesses and charges for reimbursement of investigative costs as part of its disciplinary process.

### Board issued or renewed some administrator and manager licenses/certificates despite not ensuring some requirements were met

Statute requires the Board to verify an applicant's lawful presence in the U.S. and ensure that the applicant's fingerprint clearance card is valid before issuing or renewing a license or certificate. We reviewed random samples of 17 initial administrator license applications and 15 initial manager certificate applications and identified deficiencies in 12 of these applications regarding lawful presence requirements and/or possessing a valid fingerprint clearance card. Meeting these requirements confirms that applicants are legally authorized to work in Arizona and that, as of the date Board staff check the fingerprint

clearance card's validity, applicants have not been convicted of a precluding criminal offense. This is important because some licensed administrators and certified managers work with vulnerable populations.

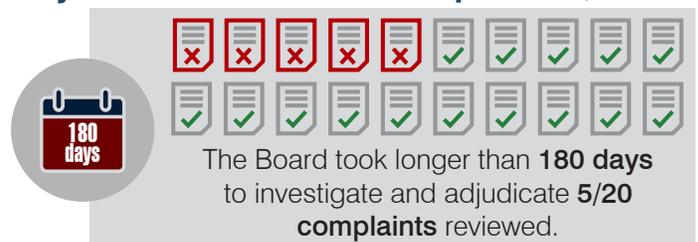


### Recommendation

The Board should continue to implement its new policies and procedures to ensure applicants meet requirements for lawful presence and fingerprint clearance card validity.

### Board has not timely investigated and adjudicated some complaints, which may have put residents at risk

The Board did not investigate and adjudicate in a timely manner 5 of the random sample of 20 complaints against licensed administrators and certified managers we reviewed. Specifically, the Board took between 223 and 589 days to investigate and adjudicate these 5 complaints. Untimely complaint investigation and adjudication may put some



residents at risk because it allows licensed administrators and certified managers alleged to have violated Board statutes and rules to continue working while under investigation, even though they may be unfit to do so.

## Recommendation

The Board should:

- Work with the Arizona Department of Health Services (DHS) to timely obtain names of responsible certified managers associated with assisted living facilities where DHS has identified deficiencies.
- Implement and further revise its complaint handling policies and procedures to monitor Board staff compliance with policies and procedures and regularly generate management reports on complaint processing timeliness.

## Board did not provide adequate public information in response to anonymous phone calls we made

Accurate and complete information about licensed administrators and certified managers helps the public make informed decisions about selecting a safe environment for themselves and/or their loved ones. We placed 3 anonymous phone calls to the Board's offices and requested information about 1 licensed administrator and 2 certified managers, and Board staff provided inaccurate or insufficient information for all 3 phone calls.



The Board provided inaccurate or insufficient information for all 3 anonymous calls we made.

## Recommendation

The Board should continue to implement and ensure its staff comply with its newly revised policies and procedures for providing public information over the phone.

## Other Board action needed

As reported in the Sunset Factors section of the report, we identified the following area for improvement:

**Board should accurately, consistently, and fairly assess reimbursement of complaint investigative costs**—When the Board disciplines a licensed administrator or certified manager in response to a complaint, it typically seeks reimbursement for its investigative costs through a consent agreement. However, we found no evidence that the reimbursement amount is based on the actual costs the Board incurs to investigate the complaint or that it consistently and fairly assesses this reimbursement. Without policies and procedures for accurately determining and assessing complaint investigation costs, the Board cannot demonstrate that it is recouping the actual costs of its investigation and consistently seeking this reimbursement.

## Recommendation

The Board should conduct a review of its costs for investigating complaints that includes determining direct and indirect costs, establishing an hourly rate for investigations, and determining a method for tracking the staff time and activities for investigating each complaint.