

**ALABAMA BOARD OF EXAMINERS OF ASSISTED LIVING ADMINISTRATORS
ADMINISTRATIVE CODE**

**CHAPTER 135-X-5
EXAMINATION INFORMATION**

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135-X-5-.01 Examinations.

(1) The Board shall determine the subjects of examinations for applicants for licensure as Category I and Category II assisted living administrators, as provided in Rule No. 135-X-7-.01 of these Rules and Regulations, and the scope, content, and format of such examinations, which in any examination shall be the same for all candidates. At a minimum, each examination shall require the examinee or applicant to demonstrate his or her proficiency in the rules and regulations of health and safety. But nothing herein shall prevent the Board from making minor changes or updating the examination.

(2) The Board shall offer a Category I and a Category II Assisted Living Administrator Licensure examination, as defined in Rule No. 135-X-5-.05 of this Chapter. Each examination shall have two sections, A and B, which shall be administered separately.

(a) After successfully passing Section A of the Category I examination, the applicant shall complete the Board approved twenty (20) hour classroom training program and shall then be permitted to take Section B of the Category I examination.

(b) After successfully passing Section A of the Category II examination, the applicant shall complete the Board approved thirty (30) hour classroom training program and then shall then be permitted to take Section B of the Category II examination.

(3) Examinations and required classroom training programs shall be held at least four times a year at such times and places as shall be designated by the Board.

(4) Official documents and records of the Board shall be retained; however, at the discretion of the Board may be reduced to microfilm or other appropriate methods of retention.

Author: Theresa Jordan

Statutory Authority: Code of Ala. 1975, §34-2A-1-16.

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135-X-5-.02 Pre-Examination Requirement And Conditions
Precedent.

(1) Except as otherwise provided in paragraph (2) hereof, no person shall be admitted to or be permitted to take the Category I or Category II Assisted Living Administrator Licensure examination unless the person submits the following evidence satisfactory to the Board.

(a) For a Category I Assisted Living Administrator license, as set forth in Rule No. 135-X-7-.01 paragraph (1):

1. The person must be at least nineteen (19) years of age.

2. The person must be of good moral character.

3. The person must be a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government.

4. The person must have a high school diploma or GED from a school approved and recognized by the educational authorities of the state in which such school is located or a political subdivision thereof, or has submitted a certificate

indicating that he/she has obtained high school. GED, or secondary school equivalency, such certificate being duly certified by a state educational authority or a political subdivision thereof

5. The person must provide verification of either:

(i) a high school diploma or GED from a school approved and recognized by the educational authorities of the state in which such school is located or a political subdivision thereof, or has submitted a certificate indicating that he/she has obtained high school. GED, or secondary school equivalency, such certificate being duly certified by a state educational authority or a political subdivision thereof plus two (2) years of experience working fulltime in an administrative and resident or patient care position in a licensed assisted living facility, nursing home, hospital, or residential care setting for the elderly or disabled within two (2) years preceding date of application for administrator licensure, and an endorsement from the administrator, owner, or governing authority of such facility; or

(ii) completion of at least two years (60 semester hours or 96 quarter hours) of coursework at an accredited college or university plus at least three (3) months of experience working fulltime in an administrative and resident or patient care position in a licensed assisted living facility, nursing home, hospital, or residential care setting for the elderly or disabled within two (2) years preceding date of application for administrator licensure, or a minimum of two-hundred forty (240) hours in the AIT program within two (2) years preceding date of application for administrator licensure.

6. As an alternative to the pre-examination experience or internship requirement of paragraph (1)(a)5.(ii) above, the person may substitute verification of at least three (3) months of experience working fulltime in an administrative and resident or patient care position in a licensed assisted living facility, nursing home, hospital, or residential care setting for the elderly or disabled, or a minimum of two-hundred forty (240) hours in the AIT Program within six (6) months of passing Section A of the Category I Assisted Living Administrator Licensure exam.

(b) For a Category II Assisted Living Administrator license, as set forth in Rule No. 135-X-7-.01 paragraph (2):

1. The person must be at least nineteen (19) years of age.
2. The person must be of good moral character.
3. The person must be a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government.
4. The person must have a high school diploma or GED from a school approved and recognized by the educational authorities of the state in which such school is located or a political subdivision thereof, or has submitted a certificate indicating that he/she has obtained high school. GED, or secondary school equivalency, such certificate being duly certified by a state educational authority or a political subdivision thereof.
5. The person must provide verification of either:
 - (i) a high school diploma or GED from a school approved and recognized by the educational authorities of the state in which such school is located or a political subdivision thereof, or has submitted a certificate indicating that he/she has obtained high school. GED, or secondary school equivalency, such certificate being duly certified by a state educational authority or a political subdivision thereof plus two (2) years of experience working fulltime in an administrative and resident or patient care position in a licensed assisted living facility, nursing home, hospital, or residential care setting for the elderly or disabled within two (2) years preceding date of application for administrator licensure, and an endorsement from the administrator, owner, or governing authority of such facility; or
 - (ii) completion of at least two years (60 semester hours or 96 quarter hours) of coursework at an accredited college or university plus three (3) months of experience working fulltime in an administrative and resident or patient care position in a licensed assisted living facility, nursing home, hospital, or residential care setting for the elderly or disabled within two (2) years preceding date of application for administrator licensure, or a minimum of two-hundred forty (240) hours in the AIT program within two (2) years preceding date of application for administrator licensure.

6. As an alternative to the pre-examination experience or AIT program requirement of paragraph (1)(b)5.(ii) above, the person may substitute verification of three (3) months of experience working fulltime in an administrative and resident or patient care position in a licensed assisted living facility, nursing home, hospital, or residential care setting for the elderly or disabled, or a minimum of two-hundred forty (240) hours in the AIT program within six (6) months of passing Section A of the Category II Assisted Living Administrator Licensure exam.

7. The person must complete the Board approved eight (8) hour Dementia Education and Training program.

8. Nothing herein shall be construed as prohibiting the Board from allowing an applicant to sit for the examination where the Board finds that the applicant fulfills all of the requirements mentioned in paragraph (1) hereof; that the applicant complied with the requirements of the Board; and that, through no fault of the applicant, the application was not received or the requirements for examination were otherwise not complied with.

9. Examinations given under this section shall be given provisionally; and, should it later appear that the applicant does not meet the requirements or did not exercise reasonable diligence in filing his/her application, or was the cause of his/her failure to comply with the requirements for examination, then the examination and its results shall be void.

10. In the event an examination or an examination's results are void under paragraph (3) hereof, all fees and other monies paid to the Board by the applicant or which are due and payable to the Board by the applicant, are forfeited.

Author: Theresa Jordan

Statutory Authority: Code of Ala. 1975, §34-2A-1-16.

History: New Rule: Filed November 8, 2002; effective December 13, 2002. **Amended:** Filed October 9, 2003; effective November 13, 2003. **Amended:** Filed September 29, 2008; effective November 3, 2008. **Amended:** Filed April 17, 2009; effective May 22, 2009. **Amended:** Filed September 22, 2010; effective October 27, 2010. **Amended:** Filed October 17, 2012; effective November 21, 2012. **Amended:** Filed January 17, 2013; effective February 21, 2013. **Amended:** Filed October 16, 2013; effective November 20, 2013.

135-X-5-.03 Application For Examination.

(1) An applicant for examination and qualification for either a Category I or Category II Assisted Living Administrator license shall make application therefore in writing on the forms provided by the Board, and shall furnish evidence satisfactory to the Board that he/she has met the pre-examination requirements as provided for in the State licensing statute and Rule No. 135-X-5-.02 of these Rules and Regulations, except as otherwise provided in Rule No. 135-X-5-.02 paragraphs (1)(a) 6. and (1)(b)6. of these Rules and Regulations, and paid the required examination fee as determined by the Board.

(2) A candidate for examination shall submit with his/her application two letters of character reference from individuals employed in the health care or patient care industry. Said character reference letters shall certify to the good moral character of the applicant. The two letters of character reference shall be from individuals who are not related by blood or marriage to the applicant and who have known the applicant for at least one year. The applicant shall also submit satisfactory evidence that he/she has met the requirements as defined in 135-X-5-.02 of these Rules and Regulations.

(3) An applicant for examination must consent to a criminal background check. An applicant for examination who has been convicted of a felony by any court in this state, or by any court of the United States, shall not be admitted to or be permitted to take the examination provided for herein unless he/she shall first submit to and file with the Board, a certificate of good conduct granted by the Board of Parole or, in the case of a conviction in any jurisdiction wherein the laws do not provide for the issuance of a certificate of good conduct, an equivalent written statement or document.

(4) An applicant for examination who has been convicted of a misdemeanor, except a petty traffic offense, shall not be admitted to or be permitted to take the examination provided for herein unless he/she shall first submit to, and file with the Board a certificate or letter of good conduct from the proper parole, probation, court, or police authorities wherein such conviction was had, or submit an equivalent written statement or document. For the purpose of this paragraph, a petty traffic offense shall be any and every misdemeanor

relating to the operation of motor vehicles except: Driving while under the influence of intoxicating liquors, narcotics, stimulating or hallucinating drugs; leaving the scene of an accident; and manslaughter resulting from the operation of a motor vehicle.

(5) An application for examination will expire 90 days from the date approved. After the expiration date, the applicant will be required to resubmit a new application and will be responsible for all applicable fees.

(6) The basic requirements for suitability set forth herein are to be considered minimal and may not be waived.

(7) The Board may designate a time and place at which an applicant may be required to present himself/herself for inquiry as to his/her suitability as provided for herein.

Author: Theresa Jordan

Statutory Authority: Code of Ala. 1975, §34-2A-1-16.

History: New Rule: Filed November 8, 2002; effective December 13, 2002. **Amended:** Filed October 9, 2003; effective November 13, 2003. **Amended:** Filed October 19, 2007; effective November 23, 2007. **Amended:** Filed September 29, 2008; effective November 3, 2008. **Amended:** Filed April 17, 2009; effective May 22, 2009.

**135-X-5-.04 Conditional Admission To Examination:
Disqualification Re-Examination.**

(1) An applicant for examination, who has been disqualified shall be given written notification by certified mail with returned receipt requested by the Board of his/her disqualification, and the reasons therefore, and of his/her right to a hearing as provided for under Rule No. 135-X-7-.02 hereof.

(2) An applicant for examination who has been disqualified may petition the Board in writing, within thirty (30) days of notification or disqualification for a hearing and a review of his/her application.

(3) Where an applicant for examination has been disqualified, he/she may submit a new application for qualification for examination, provided however, that he/she

shall be required to meet the requirements for licensing as shall be in force at the time of such re-application.

Author: Theresa Jordan

Statutory Authority: Code of Ala. 1975, §34-2A-1-16.

History: New Rule: Filed November 8, 2002; effective December 13, 2002. **Amended:** Filed October 9, 2003; effective November 13, 2003.

135-X-5-.05 Subjects For Examination.

(1) Every applicant, after having met the requirements for qualification for examination as set forth in Rule No. 135-X-5-.02 of these Rules and Regulations, must successfully pass a written or oral examination as required by the State licensing statute and these regulations.

(2) An individual applying for a Category I Assisted Living Administrator license must successfully pass Section A of the Category I examination which will focus on the applicant's ability to demonstrate his/her proficiency in the Rules of Alabama State Board of Health, Alabama Department of Public Health, Chapter 420-5-4, Assisted Living Facilities. After completion of the required twenty (20) hour Board approved classroom training program, set forth in Rule No. 135-X-5-.01(2)(a), applicant must successfully pass Section B of the Category I examination which will focus on the applicant's ability to demonstrate his/her proficiency in the educational training subjects covered in the twenty (20) hour classroom training program.

(3) An individual applying for a Category II Assisted Living Administrator license must successfully pass Section A of the Category II examination which will focus on the applicant's ability to demonstrate his/her proficiency in the Rules of Alabama State Board of Health, Alabama Department of Public Health, Chapter 420-5-20, Specialty Care Assisted Living Facilities. After completion of the required thirty (30) hour Board approved classroom training program, set forth in Rule No. 135-X-5-.01(2)(b), applicant must successfully pass Section B of the Category II examination which will focus on the applicant's ability to demonstrate his/her proficiency in the educational subjects covered in the thirty (30) hour classroom training program.

(4) If a Category I applicant wishes to obtain a Category II license, he or she must complete the application process and pass Section A of the Category II examination. If the Category II applicant has completed the 30 hours of AIT training within the previous 12 months of his/her Category II application, then he/she shall be exempt from taking Section B of the Category II examination.

Author: Theresa Jordan

Statutory Authority: Code of Ala. 1975, §34-2A-1-16.

History: New Rule: Filed November 8, 2002; effective December 13, 2002. **Amended:** Filed October 9, 2003; effective November 13, 2003. **Amended:** Filed September 29, 2008; effective November 3, 2008.

135-X-5-.06 Grading Examinations.

(1) Each applicant for a Category I or II assisted living administrator's license shall be required to pass Sections A and B of the examination for such license with a grade as determined by the Board. The Board has determined that Section A and Section B of the Category I or Category II State examination will be used for the written or oral examination administered to all applicants, and the applicant must obtain a score of at least 80% on each section of the Category I or Category II State examination. Effective January 1, 2014 all applicants must obtain a passing score of at least 85% on each section of the Category I or Category II State Examination. Effective July 1, 2014 all applicants must obtain a passing score of at least 90% on each section of the Category I or Category II State Examination. All applicants who apply and are approved by the Board through reciprocity shall be required to take Section A of either the Category I or Category II examination, determined by the license for which the applicant has applied. The applicant must obtain a score of at least 80% on Section A of the Category I or Category II State examination. Effective January 1, 2014 the applicant must obtain a score of at least 85% on Section A of the Category I or Category II State Examination. Effective July 1, 2014 the applicant must obtain a score of at least 90% on Section A of the Category I or Category II State Examination.

(2) The Board shall determine a method of grading each section of the examination separately and shall apply such method uniformly to all candidates that are examined.

(3) An applicant who does not pass a section of the Category I or Category II Assisted Living Administrator Licensure examination may pay another examination fee and retake the appropriate section of the examination. After failing the same section of the examination twice, the applicant will be required to participate in a Board approved study course before taking the section of the examination a third time.

Author: Theresa Jordan

Statutory Authority: Code of Ala. 1975, §34-2A-1-16.

History: New Rule: Filed November 8, 2002; effective December 13, 2002. **Amended:** Filed October 9, 2003; effective November 13, 2003. **Amended:** Filed May 29, 2013; effective July 3, 2013.

135-X-5-.07 Deadline To Pay License Fee.

(1) An applicant who has successfully passed the Section B exam and taken the Administrator Oath has 30 days from the date of passing the exam to pay the initial licensing fee or until the provisional license expires. Failure to do so will forfeit all previously paid fees and the applicant will be required to submit a new application and will be responsible for all applicable fees.

(2) The Administrator oath shall be administered within 14 days of passing the Section B Exam.

Author: Theresa Jordan

Statutory Authority: Code of Ala. 1975, §34-2A-1-16.

History: New Rule: Filed October 8, 2009; effective November 12, 2009. **Amended:** Filed June 4, 2010; effective July 9, 2010. **Amended:** Filed March 6, 2014; effective April 10, 2014.