

**481—65.7 (135C) Administrator.** Each ICF/PMI shall have one person in charge, duly approved by the department or acting in a provisional capacity in accordance with these regulations. (II, III)

**65.7(1)** The administrator shall be at least 21 years of age and shall meet at least one of the following conditions:

*a.* Be licensed in Iowa as a nursing home administrator, or certified as a residential care administrator. No residential care facility administrator certified under a waiver from the department shall administrate an intermediate care facility for persons with mental illness. The administrator must have at least two years' experience in direct care or supervision of people with mental illness and at least one year of experience in an administrative capacity; (II, III) or

*b.* Be a qualified mental health professional (QMHP) with at least one year of experience in an administrative capacity. (II, III)

If an ICF/PMI is a distinct part of a licensed health care facility, the administrator of the facility as a whole may serve as the administrator of the ICF/PMI without meeting the requirements of subrule 65.7(1), paragraph "a" or "b." When this occurs, the person in charge of the ICF/PMI distinct part shall meet the requirements of subrule 65.7(1), paragraph "a" or "b." (II, III)

**65.7(2)** The administrator of more than one facility shall be responsible for no more than 150 beds in total. (II, III)

*a.* The distance between the two farthest facilities shall be no greater than 50 miles. (II, III)

*b.* An administrator of more than one facility must designate an administrative staff person in each facility who shall be responsible for directing programs in the facility during the administrator's absence. (II, III)

**65.7(3)** The administrative staff person shall be designated in writing and immediately available to the facility on a 24-hour basis when the administrator is absent and residents are in the facility. (II, III)

The person(s) designated shall:

*a.* Have at least two years' experience or training in a supervisory or direct care position in a mental health setting; (II, III)

*b.* Be knowledgeable of the operation of the facility; (II, III)

*c.* Have access to records concerned with the operation of the facility; (II, III)

*d.* Be capable of carrying out administrative duties and of assuming administrative responsibilities; (II, III)

*e.* Be at least 21 years of age; (III)

*f.* Be empowered to act on behalf of the licensee during the administrator's absence concerning the health, safety and welfare of the residents; (II, III) and

*g.* Have training to carry out assignments and take care of emergencies and sudden illnesses of residents. (II, III)

**65.7(4)** If an administrator serves more than one facility, a written plan shall be developed, implemented and available for review by the department designating regular and specific times the administrator will be available to meet with the staff and residents to provide direction and supervision of resident care and services. (II, III)

**65.7(5)** When a facility has been unable to replace the administrator, through no fault of its own, a provisional administrator meeting the qualifications of the administrative staff person may be appointed on a temporary basis by the licensee to assume the administrative responsibilities for the facility. This person shall not serve more than three months without approval from the department. The department must be notified before the appointment of the provisional administrator. (III)

**65.7(6)** A facility applying for initial licensing shall not have a provisional administrator. (III)

This rule is intended to implement Iowa Code section 135C.14(2).