

**Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 12-0605.01 Christy Chase x2008

SENATE BILL 12-091

SENATE SPONSORSHIP

Tochtrop,

HOUSE SPONSORSHIP

Bradford,

Senate Committees

Health and Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO PROVISIONS GOVERNING THE**
102 **PRACTICE OF NURSING HOME ADMINISTRATION, AND, IN**
103 **CONNECTION THEREWITH, MODIFYING THE CRITERIA FOR**
104 **NURSING HOME ADMINISTRATORS TO QUALIFY TO SERVE ON THE**
105 **BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS,**
106 **MODIFYING THE EXPERIENCE REQUIREMENTS FOR PERSONS**
107 **APPLYING TO TAKE THE NURSING HOME ADMINISTRATOR**
108 **LICENSURE EXAMINATION OR TO PARTICIPATE IN THE**
109 **ADMINISTRATOR-IN-TRAINING PROGRAM, AND PERMITTING A**
110 **NURSING HOME ADMINISTRATOR WHO HAS PASSED A NATIONAL**
111 **EXAMINATION AND AN EXAMINATION IN ANOTHER STATE TO SIT**
112 **FOR THE COLORADO LICENSURE EXAMINATION.**

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

In order to qualify to serve on the board of examiners of nursing home administrators (board), current law requires nursing home administrator (NHA) members to be engaged in particular areas of discipline in the profession and to have been actively engaged in the profession for at least 5 years. **Section 1** of the bill eliminates the requirement that NHAs practice in a specific discipline area in order to serve on the board. **Section 2** reduces the period during which an NHA must be engaged in the profession to 3 years.

An NHA applying to take the NHA licensure examination must have either successfully completed the administrator-in-training (AIT) program; completed a bachelor's degree in public health administration; or completed an associate's degree in a health care-related field and have at least 2 years experience in administration in a nursing home or hospital. Under board rules, to satisfy the experience-in-administration component, an applicant must be supervising and exercising reasonable control over at least 5 subordinates. **Section 3** reduces the number of subordinates that an applicant must supervise to 3 subordinates and reduces the required amount of experience from 2 years to one year. Section 3 also requires the board to allow an NHA who has passed both a national NHA examination and an examination in another state to take the Colorado licensure examination.

Finally, current law requires an AIT program participant to complete 2,000 hours of training before he or she is eligible to take the NHA licensure examination. **Section 4** reduces the required training period to 500 hours.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-39-104, **amend**

3 (1) (a) introductory portion, (1) (a) (I), and (1) (a) (III) as follows:

4 **12-39-104. Board of examiners of nursing home**
5 **administrators - creation - subject to termination.** (1) (a) ~~There is~~

1 ~~hereby created a~~ THE board of examiners of nursing home administrators
2 IS HEREBY CREATED in the division of registrations in the department of
3 regulatory agencies. ~~which~~ THE board ~~shall be~~ IS composed of the
4 following members appointed by the governor:

5 (I) Three members ~~shall be~~ WHO ARE practicing nursing home
6 administrators duly licensed under this article, and AT LEAST ONE OF
7 WHOM shall be from the following areas of discipline, with no two
8 members from the same area:

9 (A) ~~Hospital administration;~~

10 (B) nonprofit facility administration.

11 (C) ~~Proprietary facility administration; or~~

12 (D) ~~Continuum of care administration;~~

13 (III) Three members shall be representative of the public at large;
14 except that upon the expiration of the term of office of the one member
15 of the board representing the public whose term expires on July 1, 2011,
16 the board shall consist of two members representative of the public at
17 large. AT LEAST ONE PUBLIC MEMBER MUST BE A CURRENT OR FORMER
18 RESIDENT OF A NURSING HOME FACILITY OR A FAMILY MEMBER OF A
19 CURRENT OR FORMER NURSING HOME FACILITY RESIDENT.

20 **SECTION 2.** In Colorado Revised Statutes, 12-39-104.5, **amend**
21 (1) as follows:

22 **12-39-104.5. Qualifications of board members.** (1) A nursing
23 home administrator ~~shall be~~ IS qualified to be appointed to the board if
24 ~~such~~ THE person:

25 (a) Is a legal resident of Colorado;

26 (b) Is currently licensed as a nursing home administrator; AND

27 (c) Has been actively engaged as a licensed nursing home

1 administrator for at least ~~five~~ THREE years.

2 **SECTION 3.** In Colorado Revised Statutes, 12-39-106, **amend**

3 (1) as follows:

4 **12-39-106. Qualifications for admission to examination.**

5 (1) The board shall admit to examination for licensure as a nursing home
6 administrator any applicant who pays a fee as determined by the board,
7 who submits evidence of suitability prescribed by the board, who is
8 twenty-one years of age or older, and who EITHER:

9 (a) Provides written documentation that the applicant meets one
10 of the following requirements:

11 ~~(a)~~ (I) The applicant has successfully completed the
12 administrator-in-training program pursuant to section 12-39-107; or

13 ~~(b)~~ (II) The applicant has successfully completed a bachelor's
14 degree in public health administration, health administration, or any
15 degree or degrees deemed appropriate by the board; or

16 ~~(c)~~ (III) (A) The applicant has successfully completed an
17 associate's degree or higher degree in a health care-related field and has
18 a minimum of ~~two years~~ ONE YEAR OF experience in administration in a
19 nursing home or hospital. For the purposes of this section, a registered
20 nurse who is a graduate of a three-year diploma program ~~shall be~~
21 ~~considered to have met~~ MEETS the associate degree requirement.

22 (B) FOR PURPOSES OF THE EXPERIENCE REQUIRED BY THIS
23 SUBPARAGRAPH (III), AN APPLICANT MUST HAVE DAY-TO-DAY, ON-SITE
24 RESPONSIBILITY FOR SUPERVISING, DIRECTING, MANAGING, MONITORING,
25 OR EXERCISING REASONABLE CONTROL OVER THREE SUBORDINATES FOR
26 ONE YEAR; OR

27 (b) PROVIDES WRITTEN DOCUMENTATION VERIFYING THAT THE

1 APPLICANT HAS PASSED A NATIONAL EXAMINATION ADMINISTERED BY A
2 NATIONALLY RECOGNIZED TESTING ENTITY FOR NURSING HOME
3 ADMINISTRATORS AND HAS PASSED AN EXAMINATION IN ANOTHER STATE.

4 **SECTION 4.** In Colorado Revised Statutes, 12-39-107, **amend**
5 (1) as follows:

6 **12-39-107. Administrator-in-training.** (1) THE BOARD MAY
7 GRANT ADMISSION INTO THE NURSING HOME ADMINISTRATOR-IN-TRAINING
8 PROGRAM TO an applicant for a nursing home administrator's license who
9 meets the board's criteria for education and experience, pursuant to
10 section 12-39-107.5. ~~may be granted admission into the nursing home~~
11 ~~administrator-in-training program.~~ Upon successful completion of the
12 ~~two-thousand-hour~~ FIVE-HUNDRED-HOUR training period, ~~said~~ THE
13 applicant ~~shall be~~ IS eligible to take the examination.

14 **SECTION 5. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety.