

FIRST REGULAR SESSION

HOUSE BILL NO. 958

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HELMS.

1999H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 344.030, RSMo, and to enact in lieu thereof one new section relating to nursing home administrator licenses.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 344.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 344.030, to read as follows:

344.030. 1. An applicant for an initial license shall file a completed application with the board on a form provided by the board, accompanied by an application fee as provided by rule payable to the department of health and senior services. Information provided in the application shall be attested by signature to be true and correct to the best of the applicant's knowledge and belief.

2. No initial license shall be issued to a person as a nursing home administrator unless:

(1) The applicant provides the board satisfactory proof that the applicant is of good moral character and a high school graduate or equivalent; **and**

(2) The applicant provides the board satisfactory proof that the applicant has had a minimum of three years' experience in health care administration, or two years of postsecondary education in health care administration, **or has an associate degree or higher from an accredited academic institution or has met the criteria established by the board**, or has satisfactorily completed a course of instruction and training prescribed by the board, which includes instruction in the needs properly to be served by nursing homes, the protection of the interests of residents therein, and the elements of good nursing home administration, or has presented evidence satisfactory to the board of sufficient education, training, or experience in the foregoing fields to administer, supervise and manage a nursing home; and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (3) The applicant passes the examinations administered by the board. If an applicant
19 fails to make a passing grade on either of the examinations such applicant may make application
20 for reexamination on a form furnished by the board and may be retested. If an applicant fails
21 either of the examinations a third time, the applicant shall be required to complete a course of
22 instruction prescribed and approved by the board. After completion of the board-prescribed
23 course of instruction, the applicant may reapply for examination. With regard to the national
24 examination required for licensure, no examination scores from other states shall be recognized
25 by the board after the applicant has failed his or her third attempt at the national examination.
26 There shall be a separate, nonrefundable fee for each examination. The board shall set the
27 amount of the fee for examination by rules and regulations promulgated pursuant to section
28 536.021. The fee shall be set at a level to produce revenue which shall not substantially exceed
29 the cost and expense of administering the examination.

30 3. Nothing in ~~[sections 344.010 to 344.108]~~ **this chapter**, or the rules or regulations
31 thereunder shall be construed to require an applicant for a license as a nursing home
32 administrator, who is employed by an institution listed and certified by the Commission for
33 Accreditation of Christian Science Nursing Organizations/Facilities, Inc., to administer
34 institutions certified by such commission for the care and treatment of the sick in accordance
35 with the creed or tenets of a recognized church or religious denomination, to demonstrate
36 proficiency in any techniques or to meet any educational qualifications or standards not in accord
37 with the remedial care and treatment provided in such institutions. The applicant's license shall
38 be endorsed to confine the applicant's practice to such institutions.

39 4. The board may issue a temporary emergency license for a period not to exceed
40 ~~[ninety]~~ **one hundred and twenty** days to a person ~~[twenty-one years of age or over, of good~~
41 ~~moral character and a high school graduate or equivalent]~~ **that has met the temporary**
42 **emergency license criteria established by the board** to serve as an acting nursing home
43 administrator, provided such person is replacing a licensed nursing home administrator who has
44 died, has been removed or has vacated the nursing home administrator's position. No temporary
45 emergency license may be issued to a person who has had a nursing home administrator's license
46 denied, suspended or revoked. A temporary emergency license may be renewed for one
47 additional ninety-day period upon a showing that the person seeking the renewal of a temporary
48 emergency license meets the qualifications for licensure and has filed an application for a regular
49 license, accompanied by the application fee, and the applicant has taken the examination or
50 examinations but the results have not been received by the board. No temporary emergency
51 license may be renewed more than one time.

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