

March 13, 1969

Passed on File

Reprinted 3/20/70
SENATE FILE 456

Reassigned 1-13 Social Services, Pass per amendment 3/4 By COMMITTEE ON SOCIAL SERVICES

Passed Senate, Date..... Passed House, Date

Vote: Ayes Nays Vote: Ayes Nays

Approved

A BILL FOR

1 An Act relating to the licensing and registration of nursing

2 home administrators.

3 *Be It Enacted by the General Assembly of the State of Iowa:*

4 Section 1. Chapter one hundred forty-seven (147), Code
5 1966, is hereby amended by adding as a division the following
6 sections of this Act.

7 Sec. 2. **Definitions.** For the purposes of this Act, and as
8 used herein:

9 1. "Board" means the Iowa state board of examiners for
10 nursing home administrators hereinafter created.

11 2. "Nursing home administrator" means a person who admin-
12 isters, manages, supervises, or is in general administrative
13 charge of a nursing home whether such individual has an owner-
14 ship interest in such home and whether his functions and duties
15 are shared with one or more individuals, except for members of
16 board of directors unless serving in addition in a supervisory
17 or managerial capacity.

18 3. "Nursing home" means any institution or facility, or
19 part thereof, defined as such for licensing purposes under
20 state law or pursuant to the rules and regulations for nursing
21 homes established by the state department of public health,
22 whether proprietary or nonprofit, including but not limited to,
23 nursing homes owned or administered by the federal or state
24 government or an agency or political subdivisions thereof.

25 Sec. 3. **Composition of the board.** There is hereby created

1 a state board of examiners for nursing home administrators
2 which shall consist of seven members of which two members
3 shall be administrators of nonproprietary homes. The members
4 of the board shall be initially appointed by the governor from
5 a list of twenty-one nursing home administrator names submit-
6 ted to the governor by the board of directors of the Iowa nurs-
7 ing home association. Three members shall be appointed for
8 terms of three years, two members shall be appointed for terms
9 of two years; and two members shall be appointed for a term
10 of one year; thereafter, the terms of all appointive members
11 shall be three years. The appointees shall be selected from
12 a list of three nominees submitted for each appointee, to the
13 governor by the board of directors of the Iowa nursing home
14 association.

15 Any vacancy occurring in the position of an appointive
16 member shall be filled by the governor for the unexpired
17 term, from a list of three names submitted to the governor
18 by the board of directors of the Iowa nursing home associa-
19 tion. Appointive members may be removed by the governor for
20 cause after due notice and hearing. Initial appointments of
21 members representing nursing home administrators, after this
22 Act becomes effective, shall be limited to persons who are
23 approved by the commissioner of the state department of health
24 as an "administrator" (and serving in such capacity on the
25 effective date of this Act and who shall have been an admin-
26 istrator for at least five years), as such term shall be de-
27 fined by this board. After initial appointments have been
28 made, no administrator shall be eligible for appointment as
29 a member unless licensed as a nursing home administrator.

30 **Sec. 4. Qualifications for licensure.** The board shall
31 have authority to issue licenses to qualified persons as
32 nursing home administrators, and shall establish qualifica-
33 tion criteria for such nursing home administrators. No
34 license shall be issued to a person as a nursing home admin-
35 istrator unless:

1 1. He is at least twenty-one years of age, of good moral
2 character and unless he is of sound mental health and physi-
3 cally able to perform the duties.

4 2. He has satisfactorily completed a course of instruc-
5 tion and training prescribed by the board, which course shall
6 be so designed as to content and so administered as to present
7 sufficient knowledge of the needs properly to be served by
8 nursing homes; knowledge of the laws governing the operation
9 of nursing homes and the protection of the interests of pa-
10 tients therein; and knowledge of the elements of good nursing
11 home administration; or have presented evidence satisfactory
12 to the board of sufficient education, training, or experience
13 in the foregoing fields to administer, supervise, and manage
14 a nursing home.

15 3. He has passed an examination administered by the board
16 and designed to test for competence in the subject matter re-
17 ferred to in subsection two (2) of this section.

18 Persons who, on the effective date of this Act, have been
19 actively engaged in the practice of nursing home administra-
20 tion for at least one year next preceding such date, may be
21 issued a temporary license upon payment of the required fee,
22 without the need to present evidence of satisfactory comple-
23 tion of a course of instruction and training and without ex-
24 amination, but any such licenses shall expire no later than
25 June 30, 1972.

26 **Sec. 5. Licensing function.** The board shall license nurs-
27 ing home administrators in accordance with rules and regula-
28 tions issued, and from time to time revised, by it. A nursing
29 home administrator's license shall not be transferable and
30 shall be valid until surrendered for cancellation or suspended
31 or revoked for violation of this Act or any other laws or regu-
32 lations relating to the proper administration and management
33 of a nursing home. Any denial of issuance or renewal, suspen-
34 sion, or revocation under any section of this Act shall be sub-
35 ject to review upon the timely request of the applicant or

1 licensee and pursuant to Iowa state procedures.

2 **Sec. 6. License fees.** Each person licensed as a nursing
3 home administrator shall be required to pay a license fee in
4 an amount to be fixed by the board, which fee shall not exceed
5 ten dollars per year. Said license shall expire on the thirty-
6 first day of December of the year following its issuance, and
7 shall be renewable annually and upon payment of the license
8 fee.

9 **Sec. 7. Fund created.** All fees collected under the provi-
10 sions of this Act shall be paid monthly to the state treasurer,
11 who shall keep the same in a special fund to be known as the
12 state board of examiners for nursing home administrators fund,
13 which fund may be used and expended by the board to pay the
14 compensation and travel expenses of members and employees of
15 the board, and other expenses necessary for the board to ad-
16 minister and carry out the provisions of this Act.

17 **Sec. 8. Organization of board.** The board shall elect from
18 its membership a chairman, vice-chairman, and secretary-treasurer,
19 and shall adopt rules and regulations to govern its proceedings.
20 Each member shall receive, as compensation for his services,
21 an amount agreed upon by the board but not to exceed that of
22 other state boards. All members shall be allowed necessary
23 travel expenses, as may be approved by the board, which shall
24 be payable in the same manner as travel expenses of other state
25 officials. The board may employ and fix the compensation and
26 duties of necessary personnel to assist it in the performance
27 of its duties.

28 **Sec. 9. Exclusive jurisdiction of board.** The board shall
29 have authority to determine the qualifications, skill, and fit-
30 ness of any person to serve as an administrator of a nursing
31 home under the provisions of this Act, and the holder of a
32 license under the provisions of this Act shall be deemed quali-
33 fied to serve as the administrator of a nursing home.

34 **Sec. 10. Duties of the board.** The board shall have the
35 duty and responsibility to:

- 1 1. Develop, impose, and enforce standards which must be
2 met by individuals in order to receive a license as a nursing
3 home administrator, which standards shall be designed to insure
4 that nursing home administrators will be individuals who are
5 of good character and are otherwise suitable, and who, by
6 training or experience in the field of institutional adminis-
7 tration, are qualified to serve as nursing home administrators.
- 8 2. Develop and apply appropriate techniques, including ex-
9 amination and investigations, for determining whether an indi-
10 vidual meets such standards.
- 11 3. Issue licenses to individuals who, after application of
12 such techniques, are found to have met such standards; and for
13 cause and after due notice and hearing, revoke or suspend
14 licenses previously issued by such board in any case where the
15 individual holding such license is found to have failed sub-
16 stantially to conform to the requirements of such standards.
- 17 4. Establish and carry out procedures designed to insure
18 that individuals licensed as nursing home administrators will,
19 during any period that they serve as such, comply with the
20 requirements of such standards.
- 21 5. Receive, investigate, and take appropriate action with
22 respect to any charge or complaint filed with the board to the
23 effect that any individual licensed as a nursing home adminis-
24 trator has failed to comply with the requirements of such
25 standards. Such appropriate action may include revocation of
26 a license, if necessary, or placing the licensee on probation
27 for a period not exceeding six months, and shall be taken only
28 for cause after due notice and a hearing on the charge or com-
29 plaint.
- 30 6. Conduct a continuing study and investigation of nursing
31 homes, and administrators of nursing homes, in this state with
32 a view to the improvement of the standards imposed for the li-
33 censing of such administrators and of procedures and methods
34 for the enforcement of such standards with respect to adminis-
35 trators of nursing homes who have been licensed as such.

1 7. Conduct, or cause to be conducted, one or more courses
2 of instruction and training sufficient to meet the requirements
3 of this Act; and make provisions for such courses and their
4 accessibility to residents of this state unless it finds that
5 there are, and approves, a sufficient number of courses, which
6 courses are conducted by others within this state. In lieu
7 thereof the board may approve courses conducted within and
8 without this state as sufficient to meet the education and
9 training requirements of this Act.

10 **Sec. 11. Renewal of license.** Every holder of a nursing
11 home administrator's license shall renew it annually by making
12 application to the board. Such renewals shall be granted as
13 a matter of course unless the board finds, after due notice
14 and hearing, that the applicant has acted or failed to act in
15 such a manner or under such circumstances as would constitute
16 grounds for suspension or revocation of a license.

17 **Sec. 12. Reciprocity with other states.** The board may
18 issue a nursing home administrator's license, without exam-
19 ination, to any person who holds a current license as a nurs-
20 ing home administrator from another jurisdiction if the board
21 finds that the standards for licensure in such other juris-
22 diction are at least the substantial equivalent of those pre-
23 vailing in this state, and that the applicant is otherwise
24 qualified.

25 **Sec. 13. Misdemeanor.** It shall be a misdemeanor for any
26 person to act or serve in the capacity of a nursing home ad-
27 ministrator unless he is the holder of a license as a nursing
28 home administrator issued in accordance with the provisions
29 of this Act.

EXPLANATION OF SENATE FILE 456

Under the provisions of Public Law 90-248 adopted by the 81st Congress in 1967 and being amendments to the Social Security Act, it is provided that the administrators of skilled nursing homes furnishing services under state plans approved under Title XIV of the Act, shall be licensed by the

state, and federal grants are available to assist the states in instituting and conducting programs of training. State action must be taken by July 1, 1972, or two years after passage of the law in the state, whichever is earlier. It is submitted that this bill which was prepared by a committee of the Iowa Nursing Homes Association meets the requirements of federal law and further that it should be enacted by this session of the General Assembly in order that plans to implement it may be undertaken in ample time prior to the effective date of the federal law. The Iowa Nursing Home Association is made up of both proprietary and nonproprietary homes.

FISCAL NOTE
SENATE FILE 456

Date prepared April 1, 1969

Requested by Senator Kosek.

Prepared in regard to Senate File 456, a bill for an act relating to the licensing and registration of nursing home administrators.

Following is the fiscal effect in dollars of the legislative proposal as required by Rule 47:

Estimated Annual Revenue From License Fees*	
1st year	\$5,000
2nd year	5,000
3rd year	5,000
4th year	5,000
5th year	5,000

Note: No provision has been made in the Fiscal Note for expenses arising from compensation of board members, travel, and studies undertaken.

The preceding items are to be determined by the state board of examiners.

*Based on \$10.00 per year nursing home registration fee. Does not provide for an increase in the present 500 nursing homes in Iowa.

Filed
April 3, 1969

GERRY D. RANKIN
Legislative Fiscal Director

1 Amend Senate File 456 as follows:

2 1. Page 2, by striking lines 2 through 27, inclusive, and insert-
3 ing in lieu thereof the following:

4 "which shall consist of nine members appointed as follows:

5 1. Four members shall be nursing home administrators, at
6 least one of whom shall be an administrator of a nonproprietary
7 nursing home, chosen by the governor from lists of three or more
8 persons nominated for each such appointment by the professional
9 nursing home associations in the state.

10 2. Five members shall be chosen directly by the governor,
11 who in making such appointments shall select persons having the
12 following qualifications:

13 a. Two physicians and surgeons or osteopathic physicians
14 and surgeons.

15 b. One registered nurse or licensed practical nurse.

16 c. Two persons active in or who have had experience in an
17 educational program in nursing home administration or in a related
18 health care field.

19 In making the initial appointments under this Act, the gover-
20 nor shall appoint three members to serve until June 30, 1971,
21 three members to serve until June 30, 1972, and three members to
22 serve until June 30, 1973. Thereafter, all appointments to the
23 board shall be for terms of three years, except that vacancies
24 shall be filled for the unexpired portion of the term in which
25 the vacancy exists. Any board member may be removed by the gover-
26 nor for good cause after due notice and hearing. Initial appoint-
27 ments of nursing home administrators to the board, after the
28 effective date of this Act, shall be limited to persons who are
29 actually serving as nursing home administrators, as defined by
30 this Act, and who have served in such capacity for at least two
31 years immediately preceding appointment to the board. After such
32 initial appointments have been".

33 2. Page 3, by striking lines 18 through 25, inclusive, and insert-
34 ing in lieu thereof the following new paragraph:

35 Any person who, on the effective date of this Act, has
36 actually served as a nursing home administrator for at least two
37 years immediately preceding such date, but who has not complied
38 with subsection two (2) and three (3) of this section, may be
39 issued a temporary license upon payment of the required fee, but
40 any such license shall expire no later than June 30, 1972. During
41 the period when temporary licenses may be issued the board shall
42 offer a program of training and instruction designed to enable all
43 temporary licensees to attain the qualifications necessary to be
44 licensed as nursing home administrators.

45 3. Page 4, by striking from line 5 the word "ten" and inserting
46 in lieu thereof the word "thirty".

47 4. Page 4, by striking from line 10 the words "state treasurer"
48 and inserting in lieu thereof the words "treasurer of state".

Adopted
in
amended
3/20

Adopted
3/20

Adopted
3/20

49 5. Page 6, by inserting in line 12 after the word "board" the
50 words " , except that biennially the individual requesting renewal
51 shall submit evidence satisfactory to the board that during the
52 biennial period immediately preceding such application he has
53 attended a continuing educational program or course of study as
54 required by the rules of the board".

55 6. Page 6, by inserting in line 14 after the word "in" the words
56 "accordance with the rules or in".

57 7. Page 6, by striking from line 20 the words "the board".

58 8. Page 6, by striking lines 21 through 24, inclusive, and insert-
59 ing in lieu thereof the words and figures "reciprocal agreements
60 are entered into with another jurisdiction under sections one
61 hundred forty-seven point forty-five (147.45) through one hundred
62 forty-seven point fifty-four (147.54), inclusive of the Code."

Filed - *Adopted 3/20*
March 4, 1970

By COMMITTEE ON SOCIAL SERVICES

*W. J. Johnson
3/20/70*

1 1. Amend Senate File 456, section 3, page 2, line 3. by
2 striking the period and adding after the word "homes" the
3 following: "three of which shall be administrators of pro-
4 prietary homes. One shall be a lay person interested and
5 knowledgeable in the field and one shall be a representative
6 of an educational program in nursing home administration or
7 other health administration education programs at a university
8 or college.

9 2. Further amend section 3, page 2, lines 6 and 7, by
10 striking the words "the board of directors of the Iowa nurs-
11 ing home association" and inserting in lieu thereof the
12 following: "professional nursing home associations."

13 3. Further amend section 3, page 2, lines 13 and 14, by
14 striking the words "the board of directors of the Iowa nursing
15 home association" and inserting in lieu thereof the following:
16 "professional nursing home associations.

17 4. Further amend section 3, page 2, lines 18 and 19, by
18 striking the words "the board of directors of the Iowa nurs-
19 ing home association" and inserting in lieu thereof the follow-
20 ing: "professional nursing home associations."

21 5. Further amend section 3, page 2, line 26, by striking
22 the word "five" and inserting in lieu thereof the word "two".

23 6. Further amend section 3, page 2, line 28, by striking
24 the word "administrator" and inserting in lieu thereof the
25 following: "person except the two lay members of the board."

26 7. Further amend section 3, page 2, by adding after
27 line 29 the following: "Members may be removed by the gov-
28 ernor for good cause after due notice and hearing."

29 8. Amend section 4, page 3, by striking lines 18 to 25,
30 and by inserting in lieu thereof: "Persons who, on the effec-
31 tive date of this Act, have been actively engaged in the prac-
32 tice of nursing home administration for at least two years next
33 preceding such date and who do not meet the requirements of
34 subsections two (2) and three (3) and section four (4) of this
35 Act, may be issued a temporary license upon payment of the re-
36 quired fee, without the need to present evidence of satisfactory
37 completion of a course of instruction and training and without
38 examination, but any such licenses shall expire no later than
39 June 30, 1972."

*W. J. Johnson
3/29/70*

40 9. Amend section 6, page 4, line 5, by striking the word
41 "ten" and inserting in lieu thereof the word "thirty".

Filed - *Withdrawn 3/20/70*
March 18, 1969

By FREY

1 Amend Senate File 456 as follows:

2 1. Page 2, by striking lines 2 through 27, inclusive, and insert-
3 ing in lieu thereof the following:

4 "which shall consist of nine members appointed by the governor,
5 as follows:

6 1. Five members shall be nursing home administrators, at
7 least one of whom shall be an administrator of a nonproprietary
8 nursing home, chosen by the governor from lists of three or more
9 persons nominated for each such appointment by the professional
10 nursing home associations in the state.

11 2. One physician, surgeon, or osteopathic physician or
12 surgeon.

13 3. One registered nurse or licensed practical nurse.

14 4. One pharmacist.

15 5. One person active in or who has had experience in an
16 educational program in nursing home administration or in a re-
17 lated health care field, at a university or college.

3/20

18 In making the initial appointments under this Act, the gover-
19 nor shall appoint three members to serve until June 30, 1971,
20 three members to serve until June 30, 1972, and three members,
21 including at least two of the nursing home administrators, to
22 serve until June 30, 1973. Thereafter, all appointments to the
23 board shall be for terms of three years, except that vacancies
24 shall be filled for the unexpired portion of the term in which
25 the vacancy exists. Any board member may be removed by the gover-
26 nor for good cause after due notice and hearing. Initial appoint-
27 ments of nursing home administrators to the board, after the
28 effective date of this Act, shall be limited to persons who are
29 actually serving as nursing home administrators, as defined by
30 this Act, and who have served in such capacity for at least two
31 years immediately preceding appointment to the board. After such
32 initial appointments have been".

33 2. Page 3, by striking lines 18 through 25, inclusive, and insert-
34 ing in lieu thereof the following new paragraph:

35 Any person who, on the effective date of this Act, has
36 actually served as a nursing home administrator for at least two
37 years immediately preceding such date, but who has not complied
38 with subsections two (2) and three (3) of this section, may be
39 issued a temporary license upon payment of the required fee, but
40 any such license shall expire no later than June 30, 1972. During
41 the period when temporary licenses may be issued the board shall
42 offer a program of training and instruction designed to enable all
43 temporary licensees to attain the qualifications necessary to be
44 licensed as nursing home administrators.

Witherston
3/20

45 3. Page 4, by striking from line 5 the word "ten" and inserting
46 in lieu thereof the word "thirty".

3/20

47 4. Page 4, by striking from line 10 the words "state treasurer"
48 and inserting in lieu thereof the words "treasurer of state".

49 5. Page 6, by inserting in line 12 after the word "board" the
50 words ", except that biennially the individual requesting renewal
51 shall submit evidence satisfactory to the board that during the
52 biennial period immediately preceding such application he has
53 attended a continuing educational program or course of study as
54 required by the rules of the board".

55 6. Page 6, by inserting in line 14 after the word "in" the words
56 "accordance with the rules or in".

57 7. Page 6, by striking from line 20 the words "the board".

58 8. Page 6, by striking lines 21 through 24, inclusive, and insert-
59 ing in lieu thereof the words and figures "reciprocal agreements
60 are entered into with another jurisdiction under sections one
61 hundred forty-seven point forty-five (147.45) through one hundred
62 forty-seven point fifty-four (147.54), inclusive, of the Code."

Filed - *Withdrawn 3/20*
March 19, 1970

By HOUGEN, LAMBORN and MOGGED

1 Amend Senate File 456 by striking from page 1, line 21,
2 the word "public".

Filed - *Withdrawn 3/20*
March 18, 1969

By KOSEK

1 Amend the committee on social services amendment to Senate
2 File 456, filed March 4, 1970, and found on pages 735-736 of the
3 Senate Journal, as follows:

4 1. By striking lines 4 through 21, inclusive, and inserting in
5 lieu thereof the following:
6 "which shall consist of seven members who are either owners
7 or administrators of nursing homes, chosen by the governor from
8 lists of three or more persons nominated for each such appointment
9 by the professional nursing home associations in the state. In
10 making the initial appointments under this Act, the governor shall
11 choose, from a single list of twenty-one or more owners and
12 administrators of nursing homes nominated by the professional
13 nursing home associations in the state, three members to serve
14 until June 30, 1971, two members to serve until June 30, 1972,
15 and two members to".

Div 1

16 2. By inserting in line 36 after the word "least" the words
17 "five years, upon application and payment of the license fee
18 prescribed by this Act, shall be issued a license as a nursing
19 home administrator without complying with subsections two (2)
20 and three (3) of this section. Any person who has actually so
21 served for at least".

Div 2

Filed, *Div 1 - adopted, reconsidered and lost 3/20*
March 19, 1970 *Div 2 - withdrawn 3/20*

By MOWRY

1 Amend the social services committee amendment, filed March 4,
2 1970, to Senate File 456, as follows:
3 1. By striking lines 5 through 18, inclusive, and inserting
4 in lieu thereof the following:
5 "1. Five members shall be nursing home administrators,
6 at least one of whom shall be an administrator of a non-
7 proprietary nursing home, chosen by the governor from lists
8 of three or more persons nominated for each such appointment
9 by the professional nursing home association in the state.
10 "2. One physician and surgeon, or osteopathic physician and
11 surgeon.
12 "3. One registered nurse or licensed practical nurse.
13 "4. One pharmacist.
14 "5. One person active in or who has had experience in
15 an educational program in nursing home administration or in
16 a related health care field, at a university or college."
17 2. Line 21, by inserting after the second word "members"
18 the following: ", including at least two of the nursing
19 home administrators,".

Filed, division 1, and 2 adopted
March 20, 1970

By HOUGEN

1 Amend Senate File 456, page 1, by striking lines 11 through 17,
2 inclusive, and inserting in lieu thereof the following new
3 subsection:
4 "2. 'Nursing home administrator' means a person who
5 administers, manages, supervises, or is in general administra-
6 tive charge of a nursing home whether or not such individual
7 has an ownership interest in such home and whether or not his
8 functions and duties are shared with one or more individuals.
9 A member of a board of directors, unless also serving in a
10 supervisory or managerial capacity, shall not be considered a
11 nursing home administrator."

Filed and adopted
March 20, 1970

By RIGLER

*Adopted
as
amended
3/20*

1 Amend Senate File 456 as follows:
2 1. Page 2, after line 29, by inserting the following
3 new paragraph:
4 "The board shall be within the department of social ser-
5 vices for administrative purposes. The department shall
6 furnish the board with the necessary facilities and employees
7 to perform the duties required by this Act."
8 2. By striking on page 4 all of lines 25 through 27,
9 inclusive, and by inserting in lieu thereof the word "officials."

Filed - *as adopted 3/20*
March 19, 1970

By CLARKE, RIGLER and GAUDINEER

1 Amend the Clarke, et al., amendment to Senate File 456,
2 filed March 19, 1970, by striking from lines 4 and 5 the
3 words "department of social services" and by inserting in
4 lieu thereof the words "state department of health".

Filed and adopted
March 20, 1970

By GAUDINEER

1 Amend the Frey amendment to Senate File 456, dated
2 March 18, 1969, as follows:
3 1. By inserting in line 3 before the word "three" the
4 word "and".
5 2. By inserting quotation marks in line 16 before
6 the period.
7 3. By reversing the quotation marks and period at the
8 end of line 25.
9 4. By striking lines 26 through 28, inclusive.

Filed - *Withdrawn 3/20*
March 24, 1969

By FREY

1 Amend Senate File 456, page 4, line 5, section 6, by striking the
2 word "ten" and inserting in lieu thereof the word "twenty".

Filed - *Withdrawn 3/20*
April 8, 1969

By KOSEK

March 20, 1970

SENATE FILE 456
By COMMITTEE ON SOCIAL SERVICES
(AS PASSED BY THE SENATE)

Passed Senate, Date 3-20-70 Passed House, Date 4-6-70

Vote: Ayes 57 Nays 2 Vote: Ayes 75 Nays 11

Approved.....

*Passed Senate as amended by
House and further
amended by Senate
4-10-70 ayes 41, nays 4*

A BILL FOR

Conference Committee

1 An Act relating to the licensing and registration of nursing
2 home administrators.

*4/13 Senators Langer,
Murray, Sullivan,
and O'Malley*

3 *Be It Enacted by the General Assembly of the State of Iowa:*

*4/13 Representatives
Holden, Roeder, Cory,
and Buntz*

4 Section 1. Chapter one hundred forty-seven (147), Code
5 1966, is hereby amended by adding as a division the following
6 sections of this Act.

*Passed Senate per
Conference Committee
Report 4-15-70
ayes 51, nays 3*

7 Sec. 2. Definitions. For the purposes of this Act, and as
8 used herein:

*Passed House per
Conference Committee Report
4-15-70
ayes 104, nays 3*

9 1. "Board" means the Iowa state board of examiners for
10 nursing home administrators hereinafter created.

11 2. "Nursing home administrator" means a person who administers,
12 manages, supervises, or is in general administrative charge of a
nursing

13 home whether or not such individual has an ownership interest in
such

14 home and whether or not his functions and duties are shared with
one or

15 more individuals. A member of a board of directors, unless also
serving

16 in a supervisory or managerial capacity, shall not be considered a
17 nursing home administrator.

18 3. "Nursing home" means any institution or facility, or
19 part thereof, defined as such for licensing purposes under
20 state law or pursuant to the rules and regulations for nursing
21 homes established by the state department of public health,
22 whether proprietary or nonprofit, including but not limited to,
23 nursing homes owned or administered by the federal or state
24 government or an agency or political subdivisions thereof.

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2 which shall consist of nine members appointed as follows:

3 1. Five members shall be nursing home administrators, at least
4 one of whom shall be an administrator of a nonproprietary nursing
5 home,
6 chosen by the governor from lists of three or more persons nominated
7 for each such appointment by the professional nursing home associa-
8 tions
9 in the state.

10 2. One physician and surgeon, or osteopathic physician and surgeon.

11 3. One registered nurse or licensed practical nurse.

12 4. One pharmacist.

13 5. One person active in or who has had experienced in an educational
14 program in nursing home administration or in a related health care
15 field, at a university or college.

16 In making the initial appointments under this Act, the governor shall
17 appoint three members to serve until June 30, 1971, three members to
18 serve until June 30, 1972, and three members, including at least two of
19 the nursing home administrators, to serve until June 30, 1978. There-
20 after,

21 all appointments to the board shall be for terms of three years, except
22 that vacancies shall be filled for the unexpired portion of the term in
23 which the vacancy exists. Any board member may be removed by the
24 governor for good cause after due notice and hearing. Initial appoint-
25 ments

26 of nursing home administrators to the board, after the effective date
27 of this Act, shall be limited to persons who are actually serving as
28 nursing home administrators, as defined by this Act, and who have
29 served in such capacity for at least two years immediately preceding
30 appointment to the board. After such initial appointments have been
31 made, no administrator shall be eligible for appointment as

32 a member unless licensed as a nursing home administrator.

33 The board shall be within the state department of health for ad-
34 ministrative purposes. The department shall furnish the board with the
35 necessary facilities and employees to perform the duties required
36 by this Act.

37 Sec. 4. Qualifications for licensure. The board shall
38 have authority to issue licenses to qualified persons as
39 nursing home administrators, and shall establish qualifica-

1 tion criteria for such nursing home administrators. No
2 license shall be issued to a person as a nursing home admin-
3 istrator unless:

4 1. He is at least twenty-one years of age, of good moral
5 character and unless he is of sound mental health and physi-
6 cally able to perform the duties.

7 2. He has satisfactorily completed a course of instruc-
8 tion and training prescribed by the board, which course shall
9 be so designed as to content and so administered as to present
10 sufficient knowledge of the needs properly to be served by
11 nursing homes; knowledge of the laws governing the operation
12 of nursing homes and the protection of the interests of pa-
13 tients therein; and knowledge of the elements of good nursing
14 home administration; or have presented evidence satisfactory
15 to the board of sufficient education, training, or experience
16 in the foregoing fields to administer, supervise, and manage
17 a nursing home.

18 3. He has passed an examination administered by the board
19 and designed to test for competence in the subject matter re-
20 ferred to in subsection two (2) of this section.

21 *Any person who, on the effective date of this Act, has actually*
22 *served as a nursing home administrator for at least two years im-*
mediately
23 *preceding such date, but who has not complied with subsections two*
(2)
24 *and three (3) of this section, may be issued a temporary license upon*
25 *payment of the required fee, but any such license shall expire no later*
26 *than June 30, 1972. During the period when temporary licenses may*
be
27 *issued the board shall offer a program of training and instruction*
28 *designed to enable all temporary licensees to attain the qualifications*
29 *necessary to be licensed as nursing home administrators.*

30 **Sec. 5. Licensing function.** The board shall license nurs-
31 ing home administrators in accordance with rules and regula-
32 tions issued, and from time to time revised, by it. A nursing
33 home administrator's license shall not be transferable and
34 shall be valid until surrendered for cancellation or suspended
35 or revoked for violation of this Act or any other laws or regu-

1 lations relating to the proper administration and management
2 of a nursing home. Any denial of issuance or renewal, suspen-
3 sion, or revocation under any section of this Act shall be sub-
4 ject to review upon the timely request of the applicant or
5 licensee and pursuant to Iowa state procedures.

6 **Sec. 6. License fees.** Each person licensed as a nursing
7 home administrator shall be required to pay a license fee in
8 an amount to be fixed by the board, which fee shall not exceed
9 *thirty* dollars per year. Said license shall expire on the thirty-
10 first day of December of the year following its issuance, and
11 shall be renewable annually and upon payment of the license
12 fee.

13 **Sec. 7. Fund created.** All fees collected under the provi-
14 sions of this Act shall be paid monthly to the *treasurer of state*
15 who shall keep the same in a special fund to be known as the
16 state board of examiners for nursing home administrators fund,
17 which fund may be used and expended by the board to pay the
18 compensation and travel expenses of members and employees of
19 the board, and other expenses necessary for the board to ad-
20 minister and carry out the provisions of this Act.

21 **Sec. 8. Organization of board.** The board shall elect from
22 its membership a chairman, vice-chairman, and secretary-treasurer,
23 and shall adopt rules and regulations to govern its proceedings.
24 Each member shall receive, as compensation for his services,
25 an amount agreed upon by the board but not to exceed that of
26 other state boards. All members shall be allowed necessary
27 travel expenses, as may be approved by the board, which shall
28 be payable in the same manner as travel expenses of other state
29 *officials*.

30 **Sec. 9. Exclusive jurisdiction of board.** The board shall
31 have authority to determine the qualifications, skill, and fit-
32 ness of any person to serve as an administrator of a nursing
33 home under the provisions of this Act, and the holder of a
34 license under the provisions of this Act shall be deemed quali-
35 fied to serve as the administrator of a nursing home.

1 Sec. 10. **Duties of the board.** The board shall have the
2 duty and responsibility to:

3 1. Develop, impose, and enforce standards which must be
4 met by individuals in order to receive a license as a nursing
5 home administrator, which standards shall be designed to insure
6 that nursing home administrators will be individuals who are
7 of good character and are otherwise suitable, and who, by
8 training or experience in the field of institutional adminis-
9 tration, are qualified to serve as nursing home administrators.

10 2. Develop and apply appropriate techniques, including ex-
11 amination and investigations, for determining whether an indi-
12 vidual meets such standards.

13 3. Issue licenses to individuals who, after application of
14 such techniques, are found to have met such standards; and for
15 cause and after due notice and hearing, revoke or suspend
16 licenses previously issued by such board in any case where the
17 individual holding such license is found to have failed sub-
18 stantially to conform to the requirements of such standards.

19 4. Establish and carry out procedures designed to insure
20 that individuals licensed as nursing home administrators will,
21 during any period that they serve as such, comply with the
22 requirements of such standards.

23 5. Receive, investigate, and take appropriate action with
24 respect to any charge or complaint filed with the board to the
25 effect that any individual licensed as a nursing home adminis-
26 trator has failed to comply with the requirements of such
27 standards. Such appropriate action may include revocation of
28 a license, if necessary, or placing the licensee on probation
29 for a period not exceeding six months, and shall be taken only
30 for cause after due notice and a hearing on the charge or com-
31 plaint.

32 6. Conduct a continuing study and investigation of nursing
33 homes, and administrators of nursing homes, in this state with
34 a view to the improvement of the standards imposed for the li-
35 censing of such administrators and of procedures and methods

1 for the enforcement of such standards with respect to adminis-
2 trators of nursing homes who have been licensed as such.

3 7. Conduct, or cause to be conducted, one or more courses
4 of instruction and training sufficient to meet the requirements
5 of this Act; and make provisions for such courses and their
6 accessibility to residents of this state unless it finds that
7 there are, and approves, a sufficient number of courses, which
8 courses are conducted by others within this state. In lieu
9 thereof the board may approve courses conducted within and
10 without this state as sufficient to meet the education and
11 training requirements of this Act.

12 Sec. 11. **Renewal of license.** Every holder of a nursing
13 home administrator's license shall renew it annually by making
14 application to the board, *except that biennially the individual*
15 *requesting renewal shall submit evidence satisfactory to the board that*
16 *during the biennial period immediately preceding such application he*
17 *has attended a continuing educational program or course of study as*
18 *required by the rules of the board.* Such renewals shall be granted as
19 a matter of course unless the board finds, after due notice
20 and hearing, that the applicant has acted or failed to act in
21 *accordance with the rules or in*
22 *such a manner or under such circumstances as would constitute*
23 *grounds for suspension or revocation of a license.*

24 Sec. 12. **Reciprocity with other states.** The board may
25 issue a nursing home administrator's license, without exam-
26 ination, to any person who holds a current license as a nurs-
27 ing home administrator from another jurisdiction if
28 *reciprocal agreements are entered into with another jurisdiction under*
29 *sections one hundred forty-seven point forty-five (147.45) through one*
30 *hundred*
forty-seven point fifty-four (147.54), inclusive, of the Code.

31 Sec. 13. **Misdemeanor.** It shall be a misdemaner for any
32 person to act or serve in the capacity of a nursing home ad-
33 ministrator unless he is the holder of a license as a nursing
34 home administrator issued in accordance with the provisions
35 of this Act.

EXPLANATION

Under the provisions of Public Law 90-248 adopted by the 81st Congress in 1967 and being amendments to the Social Security Act, it is provided that the administrators of skilled nursing homes furnishing services under state plans approved under Title XIV of the Act, shall be licensed by the state, and federal grants are available to assist the states in instituting and conducting programs of training. State action must be taken by July 1, 1972 or two years after passage of the law in the state, whichever is earlier. It is submitted that this bill which was prepared by a committee of the Iowa Nursing Homes Association meets the requirements of federal law and further that it should be enacted by this session of the General Assembly in order that plans to implement it may be undertaken in ample time prior to the effective date of the federal law. The Iowa Nursing Home Association is made up of both proprietary and nonproprietary homes.

- 1 Amend Senate File 456 as amended, passed, and reprinted
- 2 by the Senate as follows:
- 3 On page 5, add to section 10, subsection 3, "The board
- 4 may also accept the voluntary surrender of such license with-
- 5 out necessity of a hearing. In the event of the inability
- 6 of the regular administrator of a nursing home to perform his
- 7 duties or through death or other cause the nursing home is
- 8 without a licensed administrator, a provisional administrator
- 9 may be appointed on a temporary basis, to perform such duties
- 10 for a period not to exceed six months or the nursing home
- 11 board or owner show just cause why extension in excess of
- 12 this is necessary."

Filed - *adopted or amended 4/6*
March 26, 1970

COREY of Louisa-Muscatine

- 1 Amend Senate File 456 as amended, passed and reprinted
- 2 by the Senate, as follows:
- 3 1. On page 3, line 22, strike the word "two" and insert
- 4 in lieu thereof the word "three".
- 5 2. On page 3, line 24, strike the word "temporary".
- 6 3. On page 3, line 25, strike the comma after the word
- 7 "fee" and insert in lieu thereof a period.
- 8 4. On page 3, strike the remainder of line 25 after the
- 9 word "fee" and all of lines 26 through 29.

Filed - *adopted 4/6*
March 26, 1970

DEN HERDER of Sioux
McCORMICK of Delaware
DRAKE of Louisa-Muscatine
SORG of Linn

- 1 Amend Senate File 456, as passed by the Senate, as follows:
- 2 (1) On page three (3), line twenty-two (22), strike the
- 3 word "immediately".
- 4 (2) On page three (3) line twenty-two (22), insert after the
- 5 word "administrator" the words "or equivalent experience in other
- 6 health care facilities".

Filed - *accepted 4/6*
March 30, 1970

GOODE of Appanoose-Davis

- 1 Amend Senate File 456, as passed by the Senate and re-
- 2 printed, page 1, by striking line 25, and page 2, by strik-
- 3 ing lines 1 through 28, inclusive, and inserting in lieu
- 4 thereof the following:
- 5 Sec. 3. Composition of the board. There is hereby
- 6 created a state board of examiners for nursing home admin-
- 7 istrators which shall consist of nine members. Eight members
- 8 of the board shall be initially appointed by the governor
- 9 from a list of twenty-four persons, whose names shall be sub-
- 10 mitted to the governor by the managing boards of directors
- 11 of the recognized associations of public and private nursing
- 12 homes in this state. The number of names submitted by each
- 13 association shall be as nearly as possible in proportion to
- 14 their respective memberships. Three members shall be ap-
- 15 pointed for terms of three years, three members shall be ap-
- 16 pointed for terms of two years, and two members shall be ap-
- 17 pointed for a term of one year; thereafter, the terms of all
- 18 appointive members shall be three years. The ninth member
- 19 shall be the commissioner of social services, or his designee,
- 20 who shall be a nonvoting ex-officio member of such board.
- 21 Subsequent appointees shall be selected by the governor
- 22 from lists of three nominees submitted to the governor by
- 23 the boards of directors of recognized nursing home associa-
- 24 tions. The association whose membership is greatest shall
- 25 submit the first list and associations with proportionately
- 26 fewer members shall submit lists in their respective turns.
- 27 Any vacancy occurring in the position of an appointive mem-
- 28 ber shall be filled by the governor for the unexpired term
- 29 from a list of three names submitted to the governor by the
- 30 board of directors of the recognized nursing home associa-
- 31 tion whose turn is due. Appointive members may be removed
- 32 by the governor for cause after due notice and hearing.
- 33 Initial appointments of members representing nursing home
- 34 administrators shall be limited to persons who are approved
- 35 by the commissioner of the state department of health as
- 36 "administrators" and who are serving in such capacity on
- 37 the effective date of this Act and who have been administra-
- 38 tors for at least five years, as such term is defined by this
- 39 Act. After initial appointments have been made, no adminis-
- 40 trator shall be eligible for appointment as a member unless
- 41 licensed as a nursing home administrator.

Filed - *accepted 4/6*
April 1, 1970

KOCH of Woodbury
DRAKE of Louisa-Muscatine
SORG of Linn
COREY of Louisa-Muscatine
HUFF of Polk
MAYBERRY of Webster

- 1 Amend Senate File 456, as passed by the Senate and
- 2 reprinted, as follows:
- 3 Page 6, by striking all after the word "board" in line
- 4 14, all of lines 15, 16, and 17 and through the word
- 5 "board" in line 18.

Filed - *Adopted 4/6*
April 1, 1970
In: Social services

ROORDA of Jasper
SORG of Linn
STRAND of Poweshiek
DEN HERDER of Sioux
WARREN of Decatur-Wayne
COREY of Louisa-Muscatine
MAYBERRY of Webster

- 1 Amend Senate File 456, by striking section 13.

Offered from the floor and lost
April 6, 1970

ELWELL of Black Hawk

- 1 Amend the Corey amendment, filed March 26, 1970 to
- 2 Senate File 456 by inserting in line nine (9) after
- 3 the word "basic" the following: "by the nursing home
- 4 owner or owners."

Offered from the floor and adopted.
April 6, 1970

MILLER of Des Moines

REPORT OF CONFERENCE COMMITTEE
(Senate File 456)

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 456, an act relating to the licensing and registration of nursing home administrators, respectfully submit the following recommendations:

1. That the Senate recede from the Senate amendment to the House amendment.

2. That the House recede from the House amendment to Senate File 456, as passed by the Senate and reprinted.

3. Amend Senate File 456, as passed by the Senate and reprinted as follows:

1. Page 2, by striking lines 3 through 13, inclusive, and inserting in lieu thereof the following:

"1. Six members shall be nursing home administrators, one of whom shall be an administrator of a nonproprietary nursing home, chosen by the governor from lists of three or more persons nominated for each such appointment by the respective professional nursing home associations in the state.

2. One administrator of a hospital.

3. One physician and surgeon, or osteopathic physician and surgeon.

4. One pharmacist, registered nurse, or educator who has had actual administrative experience in a nursing home equivalent to that required of an applicant for a license."

2. Page 3, line 22 by inserting after the word "administrator" the words "or has had equivalent experience in other health care facilities".

3. Page 3, line 22, by striking the word "immediately".

4. Page 3, by striking the sentence beginning in line 26 and ending in line 29.

5. Page 5, by adding after line 18 the following new paragraph:

"The board may also accept the voluntary surrender of such license without necessity of a hearing. In the event of the inability of the regular administrator of a nursing home to perform his duties or through death or other cause the nursing home is without a licensed administrator, a provisional administrator may be appointed on a temporary basis by the nursing home owner or owners, to perform such duties for a period not to exceed six months."

6. Page 6, by striking from line 15 all after the word "board"; all of lines 16 and 17 and from line 18 the words "required by the rules of the board" and insert in lieu thereof the words "of continued education in this field".

7. Page 6, by adding after line 30 the following new section and renumbering the subsequent section:

"If any provision of this Act is in conflict with the

*Senate concerned 4/15
House concerned 4/15*

Senate 4

requirements of section 1908 of the United States Social Security Act (42 United States Code, section 1396g), relative to a state program for licensing of administrators of nursing homes, and except for such conflict the state would be entitled to receive contributions from the United States for payment of assistance under the program established pursuant to Title XIX of the United States Social Security Act (42 United States Code, sections 1396-1396g inclusive), such provision of this Act so in conflict with said statute of the United States shall be considered as suspended and of no effect until sixty days after the convening of the next regular session of the General Assembly after such conflict is discovered."

On the part of the Senate:

CHESTER O. HOUGEN, Chairman
JOHN L. MOWRY
CHARLES K. SULLIVAN
GEORGE E. O'MALLEY

On the part of the House:

EDGAR H. HOLDEN, Chairman
NORMAN ROORDA
DEAN O. COREY
KEITH DUNTON

Filed

April 15, 1970

SENATE AMENDMENT TO THE HOUSE AMENDMENT
TO SENATE FILE 456

- 1 Amend the House amendment to Senate File 456 as follows:
2 1. By striking lines 3 through 68 of the House Amendment
3 and substituting in lieu thereof the following:
4 "1. Page 1, by striking line 25, and page 2 by
5 striking lines 1 through 13, inclusive, and inserting in
6 lieu thereof the following:
7 'Sec. 3. Composition of the board. There is hereby
8 created a state board of examiners for nursing home admini-
9 strators which shall consist of nine members appointed as
10 follows:
11 1. Six members shall be nursing home administrators,
12 at least one of whom shall be an administrator of a
13 nonproprietary nursing home, chosen by the governor from
14 lists of three or more persons nominated for each such
15 appointment by the professional nursing home association
16 in the state.
17 2. One hospital administrator.
18 3. One physician and surgeon, or osteopathic physician
19 and surgeon.
20 4. One pharmacist, registered nurse, or person active
21 in or who has had experience in an educational program in
22 nursing home administration or in a related health care
23 field, at a university or college.'"

*House refused
to concur 4/13*

Received from the Senate
April 10, 1970

SENATE CLIP SHEET

Thursday, April 9, 1970

HOUSE AMENDMENT TO SENATE FILE 456

1 Amend Senate File 456, as amended and passed by the
2 Senate and reprinted, as follows:

3 1. Page 1, by striking line 25, and page 2, by striking
4 lines 1 through 28, inclusive, and inserting in lieu
5 thereof the following:

6 Sec. 3. Composition of the board. There is hereby
7 created a state board of examiners for nursing home admin-
8 istrators which shall consist of nine members. Eight members
9 of the board shall be initially appointed by the governor
10 from a list of twenty-four persons whose names shall be
11 submitted to the governor by the managing boards of directors
12 of the recognized associations of public and private nursing
13 homes in this state. The number of names submitted by each
14 association shall be as nearly as possible in proportion to
15 their respective memberships. Three members shall be
16 appointed for terms of three years, three members shall be
17 appointed for terms of two years, and two members shall be
18 appointed for a term of one year; thereafter, the terms of
19 all appointive members shall be three years. The ninth
20 member shall be the commissioner of social services, or his
21 designee, who shall be a nonvoting ex officio member of such
22 board.

23 Subsequent appointees shall be selected by the governor
24 from lists of three nominees submitted to the governor by
25 the boards of directors of recognized nursing home associa-
26 tions. The association whose membership is greatest shall
27 submit the first list and associations with proportionately
28 fewer members shall submit lists in their respective turns.
29 Any vacancy occurring in the position of an appointive mem-
30 ber shall be filled by the governor for the unexpired term
31 from a list of three names submitted to the governor by the
32 board of directors of the recognized nursing home association
33 whose turn is due. Appointive members may be removed by
34 the governor for cause after due notice and hearing.
35 Initial appointments of members representing nursing home
36 administrators shall be limited to persons who are approved
37 by the commissioner of public health as "administrators" and
38 who are serving in such capacity on the effective date of
39 this Act and who have been administrators for at least five
40 years, as such term is defined by this Act. After initial
41 appointments have been made, no administrator shall be
42 eligible for appointment as a member unless licensed as a
43 nursing home administrator.

44 2. Page 3, line 22, strike the word "immediately".

45 3. Page 3, line 22, insert after the word "administrator"
46 the words "or equivalent experience in other health care

47 facilities".

48 4. Page 3, line 22, strike the word "two" and insert in
49 lieu thereof the word "three".

50 5. Page 3, line 24, strike the word "temporary".

51 6. Page 3, line 25, strike the comma after the word "fee"
52 and insert in lieu thereof a period.

53 7. Page 3, strike the remainder of line 25 after the word
54 "fee" and all of lines 26 through 29.

55 8. Page 5, add to Section 10, subsection 3, the following:

56 "The board may also accept the voluntary surrender of such
57 license without necessity of a hearing. In the event of the
58 inability of the regular administrator of a nursing home to
59 perform his duties or through death or other cause the nursing
60 home is without a licensed administrator, a provisional
61 administrator may be appointed on a temporary basis by the
62 nursing home owner or owners, to perform such duties for a
63 period not to exceed six months or the nursing home board
64 or owner show just cause why extension in excess of this
65 is necessary."

66 9. Page 6, by striking all after the word "board" in line
67 14, all of lines 15, 16, and 17 and through the word
68 "board" in line 18, and inserting in lieu thereof a period.

Received from the House

April 8, 1970

SENATE FILE 456

1 Amend the House amendment to Senate File 456 as
2 follows:

3 1. By striking lines 3 through 65 of the House
4 amendment to Senate File 456 and substituting in lieu
5 thereof the following:

6 "1. Page 1, by striking line 25 and page 2, by
7 striking lines 1 through 13 inclusive and inserting in
8 lieu thereof the following:

9 Sec. 3. Composition of the board. There is hereby
10 created a state board of examiners for nursing home ad-
11 ministrators which shall consist of eleven members ap-
12 pointed as follows:

13 1. Seven members shall be nursing home administra-
14 tors, at least one of whom shall be an administrator of
15 a nonproprietary nursing home, chosen by the governor
16 from lists of three or more persons nominated for each
17 such appointment by the professional nursing home asso-
18 ciations in the state.

19 2. One hospital administrator.

20 3. One physician and surgeon, or osteopathic
21 physician and surgeon.

22 4. One pharmacist.

23 5. One person active in or who has had experience
24 in an educational program in nursing home administration
25 or in a related health care field, at a university or
26 college.

27 2. Page 2 by striking the word "three" in both
28 places where it appears in line 15 and inserting in
29 lieu thereof the word "four".

Filed *W. Thraun 4/10*
April 8, 1970

By O'MALLEY, HOUGEN, BRILES,
MOWRY and GILLEY

1 Amend the House amendment to Senate File 456 as
2 follows:
3 1. By striking lines 3 through 65 of the House
4 Amendment to Senate File 456 and substituting in lieu
5 thereof the following:
6 "1. Page 1, by striking line 25 and page 2, by
7 striking lines 1 through 13 inclusive and inserting in
8 lieu thereof the following:
9 Sec. 3. Composition of the board. There is hereby
10 created a state board of examiners for nursing home ad-
11 ministrators which shall consist of nine members ap-
12 pointed as follows:
13 1. Six members shall be nursing home administra-
14 tors, at least one of whom shall be an administrator of
15 a nonproprietary nursing home, chosen by the governor
16 from lists of three or more persons nominated for each
17 such appointment by the professional nursing home asso-
18 ciations in the state.
19 2. One hospital administrator.
20 3. One physician and surgeon, or osteopathic
21 physician and surgeon.
22 4. One pharmacist, registered nurse, or person
23 active in or who has had experience in an educational
24 program in nursing home administration or in a related
25 health care field, at a university or college.

Filed - *amended and adopted*
April 9, 1970 *4/10*

By O'MALLEY, BRILES, MOWRY,
GILLEY, DENMAN and KOSEK

1 Amend the O'Malley, et al., amendment to the
2 House amendment to Senate File 456, filed
3 April 9, 1970, as follows:
4 1. Line 13, by striking the word "Six"
5 and inserting in lieu thereof the word "Three".
6 2. Line 22, by striking the comma (,)
7 after the word "pharmacist" and inserting in
8 lieu thereof the word "or", and by striking the
9 comma (,) after the word "nurse" and inserting
10 a period (.) in lieu thereof.
11 3. Lines 22 and 23, by striking the words
12 "or person active in or who has" and by
13 inserting in lieu thereof the words "5. Three
14 persons who have", by striking the period (.)
15 in line 25, and inserting a comma (,) in lieu
16 thereof, and by adding the following words
17 thereafter: "none of whom shall be employed
18 by a nursing home or have any financial interest
19 or holding in any type of nursing home."

Filed - *Print 4/10*
April 9, 1970

By GLENN

1 Amend the House amendment to Senate File 456 by
2 inserting in line 8 after the period the following new
3 sentence:
4 "The board shall be within the department of health
5 for administrative and budgeting purposes. The department
6 of health shall furnish the board with the necessary
7 facilities and staff to allow it to perform the duties
8 imposed by this Act."

Filed - *Withdrawn 4/10*
April 9, 1970

By GAUDINEER

1 Amend the O'Malley, et al., amendment, filed
2 April 8, 1970, to the House amendment to Senate
3 File 456 as follows:
4 1. Line 13, by striking the word "Seven"
5 and inserting in lieu thereof the word "Four".
6 2. By inserting the following new sub-section
7 after line 26:
8 "6. Three persons from the public at large,
9 who have no business connections or financial interests
10 in any type of nursing home."

Filed - *Withdrawn 4/10*
April 9, 1970

By GLENN

1 Amend the O'Malley, et al, amendment, filed April 9, 1970,
2 to the House amendment to Senate File 456, line 3, by strik-
3 ing the figure "65" and inserting in lieu thereof the figure
4 and the word "68, inclusive".

Filed and adopted
April 10, 1970

By DODERER

SENATE FILE 456

- 1 Amend Senate File 456 as follows:
2 1. By striking page 1, line 25, and page 2, lines 1 through 29, in-
3 clusive,
4 and inserting in lieu thereof the following:
5 "Sec. 3. Composition of the board. There is hereby created a
6 state board of examiners for nursing home administrators which shall
7 consist of nine members, as follows: 1. Three members shall be nurs-
8 ing
9 home administrators duly licensed and registered under the provisions
10 of
11 this Act. These three members of the board shall be required only to
12 possess the qualification and be eligible for licensure as required under
13 this Act. 2. Three members shall be selected from other professions
14 and
15 institutions concerned with the care of chronically ill and infirm aged
16 patients.
17 3. Three members shall be representative of the public at large.
18 No more than one member of the board shall be an official or full
19 time employee of state or local governments. Less than a majority of
20 the
21 board shall be representatives of a single profession or institutional
22 category.
23 The members of the board shall be appointed by the governor. Three
24 members
25 of the initial board shall be appointed for a one year term of office;
26 three
27 members of the initial board shall be appointed for a two year term
28 of office;
29 and three members of the initial board shall be appointed for a three
30 year
31 term of office. Thereafter, the term of office shall
32 be three years. No member shall serve more than two consecutive
33 terms."
34 2. By striking from page 3, lines 22 through 24, inclusive,
35 the words "without the need to present evidence of satisfactory
36 completion of a course of instruction and training and without ex-
37 amination".
38 3. By adding after page 3, line 25, the following new para-
39 graph:
40 "During the period when temporary licenses may be issued the
41 board shall offer a program of training and instruction designed to
42 enable all temporary licensees to attain the qualification necessary
43 to licensure as a nursing home administrator. The board may in
44 emergency cases issue a temporary license which shall be valid for
45 ninety days and which shall not be renewable."
46 4. By striking from page 4, line 10, the words "state treas-
47 urer" and inserting in lieu thereof the words "treasurer of state".
48 5. By inserting in page 6, line 12, after the word "board"
49 the following words ", except that biennially the individual re-
50 questing renewal shall submit evidence satisfactory to the board

Senate 5

40 that during the biennial period immediately preceding such appli-
41 cation he has attended a continuing education or course of study
42 as required by the rules of the board."

43 6. By inserting in page 6, line 14, after the word "in"
44 the words "accordance with the rules or in".

45 7. By striking from page 6, line 20, the words "the board".

46 8. By striking from page 6, lines 21 through 24, inclusive,
47 and inserting in lieu thereof the following words and figures:
48 "reciprocal agreements are entered into with another jurisdiction
49 under sections one hundred forty-seven point forty-five (147.45)
50 through one hundred forty-seven point fifty-four (147.54), inclusive,
51 of the Code."

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By KOSEK and DODERER