

1999 DRAFTING REQUEST

Bill

Received: **11/5/98**

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Regulation and Licensing**

By/Representing: **Myra Shelton**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Pre Topic:

No specific pre topic given


Topic:

Licensing criteria for nursing home administrators.

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>		<u>Required</u>
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/1	kunkemd 05/25/99	ygeller 05/25/99	ismith 11/20/98	_____	lrb_docadmin 11/20/98	lrb_docadminState 01/8/99	
/2	kunkemd 06/17/99	ygeller 06/17/99	jfrantze 06/1/99	_____	lrb_docadmin 06/1/99	lrb_docadminState 06/1/99	
/3	kunkemd 07/12/99	ygeller 07/13/99	martykr 06/18/99	_____	lrb_docadmin 06/18/99	lrb_docadminState 06/18/99	
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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typist</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			07/13/99	_____	07/13/99	07/13/99	

FE Sent For:

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/2	kunkemd 06/17/99	ygeller 06/17/99	jfrantze 06/1/99	_____	lrb_docadmin 06/1/99	lrb_docadminState 06/1/99	
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KJF 7/13
KJF/mrc 7/13

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/?	kunkemd	1-11-19-98 JLG	IS 11/20	ES/HH 11/20			

FE Sent For:

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97-0740

Department of Regulation & Licensing

State of Wisconsin

P.O. Box 8935, Madison, WI 53708

10-5-98

Please Hand Deliver on
MAIL Run Today to:

MARK Kunkel
LRB - 100 N. HAMILTON, 5TH Floor.



THANKS - ENJOY YOUR DAY
Myra

Committed to Equal Opportunity in Employment and Licensing



State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CORRESPONDENCE / MEMORANDUM



DATE: October 2, 1998

FILE REF: 1999-2000 Legislative
Session- LRB Drafting
Requests

TO: Mark D. Kunkel, Legislative Attorney
Legislative Reference Bureau

FROM: Myra L. Shelton, Executive Assistant
Office of the Secretary (6-8608)

SUBJECT: 1999-2000 Legislature-Boards/Department Legislative Drafting Requests

Hi Mark,

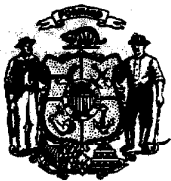
Well, we are back at it again (SMILE)! I have summarized for you all of the legislative drafting requests that we need to have redrafted/ jacketed for the upcoming session. If you have any questions please give me a call. Thanks again for all your help in the past and looking forward to working with you again in the upcoming legislative session. Enjoy your day! Myra

Board/Dept	97-98 LRB #	Jacket	Subject
Accounting	1997 AB 915-Remedial		Elim Pub Acc
Arch.,LSA,PE,etc	1997 AB 655-0451/2		Qualifi. for Regis.
Bar/Cos	0418/1	Assembly	Out of State Equiv
Fun Dir	4788/2		Lic In Good Standing
Hearing & Speech	1997 AB 915-Remedial		Ref.-Hearing Aid/Inst
High Medical	3718/1	Assem/Sen	CE Requirement
High Medical-OT	AB 915-Remedial		Occup. Therapists
High Medical	Proposal-7/30/98		Computer-USMLE
High Nur Home Admin	0496/3	Assem/Sen	Educ. Requirement
Optometry	1997 AB 915-Remedial		TOD/TPA
High Psychology	3491/1	Assem/Sen	Mental Competency

Page 2
1999-2000 Legislature
Drafting Requests

Board/Dept	97-98 LRB #	Jacket	Subject
<i>high</i> Psychology	Proposals-7/22/98		Suspend License Computerized Exams ASPPB Agreement
<i>high</i> SWMFTPC	Proposals-9/4/98		Repeal SW Trng Cert, Temp. Trng Cert
<i>high</i> SWMFTPC	1997 AB 509		MFT Trng Cert/ PC/MFT Exams
Veterinary	3490/1	Assem/Sen	Forfeitures
DORL	3582/1		Busi. Entities
DORL	0455/1		72 Hr License
DORL	1997 AB 915-Remedial		Interior Design Firms
<i>high</i> DORL	Proposal-9/19/97		Charitable Org/Fund Raising
<i>high</i> DORL	AB 617-4124/2		Exemp.Regis. (Under 18 years)

MLS/mls



State of Wisconsin
1997 - 1998 LEGISLATURE

LRB-0496/3
MDK:mfd:hmh

1997 BILL

1 AN ACT *to amend* 456.02 (intro.), 456.02 (1), 456.02 (2), 456.02 (3), 456.02 (4),
2 456.02 (5), 456.02 (6) and 456.02 (7); *to repeal and recreate* 456.04 (4); and
3 *to create* 456.04 (5) of the statutes; **relating to:** the requirements that apply
4 to a person taking the examination for a nursing home administrator license
5 and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, a person must satisfy certain education requirements before he or she is allowed to take the examination for a nursing home administrator license. Specifically, he or she must complete a regular course of study, equivalent specialized courses or a program of study that is considered adequate academic preparation for nursing home administration by the nursing home administrator examining board (examining board). In addition, the examining board is required to develop and enforce standards regarding the supervised practical experience that is required for a person to be licensed as a nursing home administrator. A person may satisfy the supervised practical experience requirements before or after taking the examination.

This bill changes the requirements that a person must satisfy before taking the nursing home administrator examination. Under the bill, a person must have a bachelor's degree from an accredited college or university and satisfy certain supervised practical experience requirements before he or she can take the examination. The bill directs the examining board to promulgate rules establishing

BILL

the supervised practical experience requirements. The rules must require a person to complete at least 2,000 hours in an internship or administrator-in-training program before he or she can take the examination. The 2,000 hours must be completed in any consecutive 3-year period within the 5-year period immediately preceding the date of application for the examination.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 456.02 (intro.) of the statutes is amended to read:

2 **456.02 Duties.** (intro.) The examining board shall do all of the following:

3 **SECTION 2.** 456.02 (1) of the statutes is amended to read:

4 456.02 (1) Develop, impose and enforce standards ~~which must be met by~~
5 ~~individuals~~ that an individual is required to meet in order to receive a license as a
6 nursing home administrator, ~~which.~~ The standards shall be designed to insure
7 ensure that a nursing home administrators ~~will be individuals who are~~
8 administrator is of good character ~~and are,~~ otherwise suitable, and ~~who,~~ by training
9 or experience in the field of institutional administration, ~~are is~~ qualified to serve as
10 a nursing home ~~administrators; administrator.~~

11 **SECTION 3.** 456.02 (2) of the statutes is amended to read:

12 456.02 (2) Develop and apply appropriate techniques, including examinations
13 and investigations, for determining whether an individual meets ~~such the~~
14 standards; under sub. (1).

15 **SECTION 4.** 456.02 (3) of the statutes is amended to read:

16 456.02 (3) Issue licenses ~~to individuals~~ a license to an individual determined,
17 after the application of ~~such the~~ techniques under sub. (2), to meet ~~such the~~
18 standards under sub. (1), and revoke or suspend licenses a license previously granted

BILL

1 by the examining board ~~in any case where~~ if the individual holding ~~any such~~ the
2 license is determined substantially to have failed to conform to the requirements of
3 ~~such the~~ standards;

4 **SECTION 5.** 456.02 (4) of the statutes is amended to read:

5 456.02 (4) Establish and carry out procedures designed to ~~insure~~ ensure that
6 individuals licensed as nursing home administrators will, ~~during any period that~~
7 ~~they serve as such,~~ comply with the requirements of ~~such the~~ standards; under sub.
8 (1).

9 **SECTION 6.** 456.02 (5) of the statutes is amended to read:

10 456.02 (5) Subject to the rules promulgated under s. 440.03 (1), receive,
11 investigate, and take appropriate action with respect to, any charge or complaint
12 filed with the examining board to the effect that any individual licensed as a nursing
13 home administrator has failed to comply with the requirements of ~~such the~~
14 standards; under sub. (1).

15 **SECTION 7.** 456.02 (6) of the statutes is amended to read:

16 456.02 (6) In cooperation with other agencies and appropriate organizations,
17 conduct a continuing study of the practice of nursing home administration within the
18 state with a view to the improvement of the standards imposed for the licensing of
19 such nursing home administrators and of procedures and methods for the
20 enforcement of ~~such the~~ standards under sub. (1) with respect to nursing home
21 administrators of nursing homes who have been licensed as ~~such; under this chapter.~~

22 **SECTION 8.** 456.02 (7) of the statutes is amended to read:

23 456.02 (7) ~~Develop and enforce standards for the~~ Promulgate rules
24 establishing supervised practical experience to be required requirements that an
25 individual shall satisfy before allowing the individual to take an examination for

BILL

1 licensure; and as a nursing home administrator. The rules shall require the
2 individual to complete at least 2,000 hours in any consecutive 3-year period within
3 the 5-year period immediately preceding the date of application for examination in
4 an internship or administrator-in-training program.

5 **SECTION 9.** 456.04 (4) of the statutes is repealed and recreated to read:

6 456.04 (4) Has a bachelor's degree from a college or university accredited by
7 an accrediting body listed as nationally recognized by the secretary of the federal
8 department of education.

9 **SECTION 10.** 456.04 (5) of the statutes is created to read:

10 456.04 (5) Satisfies the supervised practical experience requirements
11 promulgated under s. 456.02 (7).

12 **SECTION 11. Initial applicability.**

13 (1) This act first applies to examinations for licensure as a nursing home
14 administrator held on the effective date of this subsection.

15 **SECTION 12. Effective date.**

16 (1) This act takes effect on the first day of the 6th month beginning after
17 publication.

18 (END)

Kunkel, Mark

From: MSHELTON@mail.state.wi.us
Sent: Thursday, October 29, 1998 11:32 AM
To: Kunkel, Mark
Subject: 1999-2000 Legislative Drafting Requests

Greetings Mark,

Hope all is well with you. Did you get a chance to " take a break" before we start back up (SMILE)?

Believe it or not I have not been able to take a break-purging legislative files from past, setting up permanent legislative files and general files for department and State Historical Society, implementing new laws passed in past legislative session and getting things in shape for the upcoming session. Well enough of all the idle chit- chat (SMILE).

Need to know when the following legislative drafting requests (my memo to you of October 2) will be ready for pick up. I will need the legislative drafts for Nursing Home Administrators, Psychology, SWMFTPC, DORL- Charitable Organizations, DORL- Auctioneers, and Medical by December.

Let me know your priority timeframe. I know budget drafting takes precedent but we really need you to squeeze in our drafting requests .
Thanks again for all your help-Enjoy your day/weekend. Myra

1999-2000 LEGISLATURE

~~1997-1998 LEGISLATURE~~

LRB-049673

MDK: ~~hfh~~ hmh

PJ
Jlg

0-NOTE
~~1997 BILL~~

1999 BILL

0740/2

RM NOT
RUN

Regen

1 AN ACT to amend 456.02 (intro.), 456.02 (1), 456.02 (2), 456.02 (3), 456.02 (4),
2 456.02 (5), 456.02 (6) and 456.02 (7); to repeal and recreate 456.04 (4); and
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5 and granting rule-making authority.

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the supervised practical experience requirements. The rules must require a person to complete at least 2,000 hours in an internship or administrator-in-training program before he or she can take the examination. The 2,000 hours must be completed in any consecutive ~~3~~^{three}-year period within the ~~3~~^{five}-year period immediately preceding the date of application for the examination.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

PROOF W/STATS.

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^X
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456.02 Duties. (intro.) The examining board shall do all of the following:

^X
SECTION 2. 456.02 (1) of the statutes is amended to read:

456.02 (1) Develop, impose and enforce standards ~~which must be met by individuals that an individual is required to meet~~ in order to receive a license as a nursing home administrator, ~~which.~~ The standards shall be designed to insure ensure that a nursing home administrators will be individuals who are administrator is of good character and are, otherwise suitable, and who by training or experience in the field of institutional administration, are is qualified to serve as a nursing home administrators; administrator.

^X
SECTION 3. 456.02 (2) of the statutes is amended to read:

456.02 (2) Develop and apply appropriate techniques, including examinations and investigations, for determining whether an individual meets ~~such~~ the standards; under sub. (1).

^X
SECTION 4. 456.02 (3) of the statutes is amended to read:

456.02 (3) Issue licenses ~~to individuals~~ a license to an individual determined, after the application of ~~such~~ the techniques under sub. (2), to meet ~~such~~ the standards under sub. (1), and revoke or suspend licenses a license previously granted

WFO:
[Keep comma]

BILL

1 by the examining board ~~in any case where~~ if the individual holding ~~any such~~ the
2 license is determined substantially to have failed to conform to the requirements of
3 ~~such~~ the standards;

4 SECTION 5. 456.02 (4) of the statutes is amended to read:

5 456.02 (4) Establish and carry out procedures designed to ~~insure~~ ensure that
6 individuals licensed as nursing home administrators will, ~~during any period that~~
7 ~~they serve as such~~, comply with the requirements of ~~such~~ the standards; under sub.
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9 SECTION 6. 456.02 (5) of the statutes is amended to read:

10 456.02 (5) Subject to the rules promulgated under s. 440.03 (1), receive,
11 investigate, and take appropriate action with respect to, any charge or complaint
12 filed with the examining board to the effect that any individual licensed as a nursing
13 home administrator has failed to comply with the requirements of ~~such~~ the
14 standards; under sub. (1).

15 SECTION 7. 456.02 (6) of the statutes is amended to read:

16 456.02 (6) In cooperation with other agencies and appropriate organizations,
17 conduct a continuing study of the practice of nursing home administration within the
18 state with a view to the improvement of the standards imposed for the licensing of
19 ~~such~~ nursing home administrators and of procedures and methods for the
20 enforcement of ~~such~~ the standards under sub. (1) with respect to nursing home
21 administrators of ~~nursing homes~~ who have been licensed as ~~such~~; under this chapter.

22 SECTION 8. 456.02 (7) of the statutes is amended to read:

23 456.02 (7) ~~Develop and enforce standards for the~~ Promulgate rules
24 establishing supervised practical experience to be required requirements that an
25 individual shall satisfy before allowing the individual to take an examination for

PROOF w/STATS.

BILL

SECTION 8

PROOF
w/STATS.

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licensure; and as a nursing home administrator. The rules shall require the individual to complete at least 2,000 hours in any consecutive 3-year period within the 5-year period immediately preceding the date of application for examination in an internship or administrator-in-training program.

SECTION 9. 456.04 (4) of the statutes is repealed and recreated to read:

456.04 (4) Has a bachelor's degree from a college or university accredited by an accrediting body listed as nationally recognized by the secretary of the federal department of education.

SECTION 10. 456.04 (5) of the statutes is created to read:

456.04 (5) Satisfies the supervised practical experience requirements promulgated under s. 456.02 (7).

SECTION 11. Initial applicability.

(1) This act first applies to examinations for licensure as a nursing home administrator held on the effective date of this subsection.

SECTION 12. Effective date.

(1) This act takes effect on the first day of the 6th month beginning after publication.

(END) ✓

D-NOTE

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0740/1dn

MDK:.....

Pjt
+
Jlg

Myra Shelton:

This bill is identical to 1997 LRB-0496/3. If you have any questions or redraft instructions, please contact me.

Mark D. Kunkel
Legislative Attorney
266-0131

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0740/1dn
MDK:pgt&jlg:ijs

November 20, 1998

Myra Shelton:

This bill is identical to 1997 LRB-0496/3. If you have any questions or redraft instructions, please contact me.

Mark D. Kunkel
Legislative Attorney
266-0131

Mark - Please redraft with
below changes. We will need a LRB draft
for both the Assembly and Senate. Any questions

MAY 07 1999



please give me a call.
Have a great week.

Myra

MEMORANDUM
OFFICE OF BOARD LEGAL SERVICES
WISCONSIN DEPARTMENT OF REGULATION & LICENSING

TO: Myra Shelton
Executive Assistant

FROM: Ruby Jefferson-Moore *RJM*
Office of Board Legal Services

DATE: May 4, 1999

Nursing Home Administrator Examining Board
Proposed Revisions to Chapter 456, Statutes
Recommendations Relating to LRB-0740/1

The following are the Board's recommendations relating to the proposed statutory revisions: ¹

I. Bill Draft (LRB-0740/1)

Revise the Bill draft as follows:

Section 8. 456.02 (7) of the statutes is amended to read:

456.02 (7) ~~Develop and enforce standards for the~~ Promulgate rules establishing supervised practical experience ~~to be required~~ requirements that an individual shall satisfy before allowing the individual to take an examination for licensure; ~~and as a nursing home administrator.~~ *The rules shall require the individual to complete at least 2,000 hours in any consecutive 3-year period within the 5-year period immediately preceding the date of application for examination in an internship ~~or, administrator-in-training program, or any other structured program approved by the board.~~*

1. Under Part I, the proposed revisions to the Bill draft are noted in bold Italic print.

Section 9. 456.04 of the statutes is repealed and recreated to read:

456.04 (4) Has a ~~bachelor's~~ *bachelor, master or doctoral degree with a major in Health Care Administration or Long Term Care* from ~~a an accredited~~ college or university ~~accredited by an accrediting body listed as nationally recognized by the secretary of the federal department of education or a bachelor degree in any field from an accredited college or university and completion of a specialized course which the examining board considers adequate preparation for nursing home administration~~

II Additional Revisions

Add a section to the Bill draft, which would repeal and recreate s. 456.08, as follows:

456.08 Reciprocity. The examining board may grant a nursing home administrator license under this chapter to a person who holds a ~~current~~ nursing home administrator license issued by the proper authorities of any other state or licensing jurisdiction, upon payment of the fee specified in s. 440.05 (2) and upon submission of evidence satisfactory to the examining board that the person has satisfied all of the following:

- (1) The applicant has a bachelor degree in any field or holds a current certification as a nursing home administrator granted by the American College of Health Care Administrators.
- (2) The applicant has practiced as a nursing home administrator in good standing for at least 2,000 hours in any consecutive 3-year period within the 5-year period immediately preceding the date of application.
- (3) Subject to ss. 111.321, 111.322 and 111.335, the applicant does not have an arrest or conviction record.
- (4) The applicant has passed an examination approved by the Board relating to state and federal laws governing the practice of nursing home administration.

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 11/20/98

To: Regulation and Licensing (Myra Shelton)

Relating to LRB drafting number: LRB-0740

Topic

Licensing criteria for nursing home administrators.

Subject(s)

Occupational Reg. - prof lic

1. **JACKET** the draft for introduction Myra Shelton, Exec. Asst. 1/7/99
in the **Senate** or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached _____.
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Mark D. Kunkel, Legislative Attorney
Telephone: (608) 266-0131

1999 BILL

and for reciprocal nursing home administrator licenses

Regen

1 AN ACT *to amend* 456.02 (intro.), 456.02 (1), 456.02 (2), 456.02 (3), 456.02 (4),
 2 456.02 (5), 456.02 (6) and 456.02 (7); *to repeal and recreate* 456.04 (4); and
 3 *to create* 456.04 (5) of the statutes; **relating to:** the requirements ~~that apply~~
 4 ~~to a person taking the examination~~ ^{for} ~~for a~~ nursing home administrator license ~~and~~
 5 and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, a person must satisfy certain education requirements before he or she is allowed to take the examination for a nursing home administrator license. Specifically, he or she must complete a regular course of study, equivalent specialized courses or a program of study that is considered adequate academic preparation for nursing home administration by the nursing home administrator examining board (examining board). In addition, the examining board is required to develop and enforce standards regarding the supervised practical experience that is required for a person to be licensed as a nursing home administrator. A person may satisfy the supervised practical experience requirements before or after taking the examination.

This bill changes the requirements that a person must satisfy before taking the nursing home administrator examination. Under the bill, a person must ~~have a~~
~~Bachelor's degree from an accredited college or university and~~ satisfy certain supervised practical experience requirements before he or she can take the examination. The bill directs the examining board to promulgate rules establishing

education and

INSERT A ✓

BILL

the supervised practical experience requirements. The rules must require a person to complete at least 2,000 hours in an internship ^{or other structured program} administrator-in-training program before he or she can take the examination. The 2,000 hours must be completed in any consecutive three-year period within the five-year period immediately preceding the date of application for the examination.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

INSERT B ✓

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 456.02 (intro.)^x of the statutes is amended to read:

2 **456.02 Duties.** (intro.) The examining board shall [✓] do all of the following:

3 SECTION 2. 456.02 (1)^x of the statutes is amended to read:

4 456.02 (1) Develop, impose and enforce standards ~~which must be met by~~
5 ~~individuals~~ that an individual is required to meet in order to receive a license as a
6 nursing home administrator, ~~which.~~ The standards shall be designed to insure
7 ensure[✓] that a nursing home ~~administrators will be individuals who are~~
8 administrator is of good character and are, otherwise suitable, and who, by training
9 or experience in the field of institutional administration, are is qualified to serve as
10 a nursing home ~~administrators;~~ administrator.

11 SECTION 3. 456.02 (2)^x of the statutes is amended to read:

12 456.02 (2) Develop and apply appropriate techniques, including examinations
13 and investigations, for determining whether an individual meets ~~such the~~ the
14 standards; under sub. (1).

15 SECTION 4. 456.02 (3)^x of the statutes is amended to read:

16 456.02 (3) Issue ~~licenses to individuals~~ a license to an individual determined,
17 after the application of ~~such the~~ the techniques under sub. (2), to meet ~~such the~~ the
18 standards under sub. (1), and revoke or suspend ~~licenses~~ a license previously granted

BILL

1 by the examining board ~~in any case where~~ if the individual holding ~~any such~~ the
2 license is determined substantially to have failed to conform to the requirements of
3 ~~such~~ the standards;

4 **SECTION 5.** 456.02 (4) ^X of the statutes is amended to read:

5 456.02 (4) Establish and carry out procedures designed to ~~insure~~ ensure that
6 individuals licensed as nursing home administrators will, ~~during any period that~~
7 ~~they serve as such~~, comply with the requirements of ~~such~~ the standards; under sub.
8 (1).

9 **SECTION 6.** 456.02 (5) ^X of the statutes is amended to read:

10 456.02 (5) Subject to the rules promulgated under s. 440.03 (1), receive,
11 investigate, and take appropriate action with respect to, any charge or complaint
12 filed with the examining board to the effect that any individual licensed as a nursing
13 home administrator has failed to comply with the requirements of ~~such~~ the
14 standards; under sub. (1).

15 **SECTION 7.** 456.02 (6) ^X of the statutes is amended to read:

16 456.02 (6) In cooperation with other agencies and appropriate organizations,
17 conduct a continuing study of the practice of nursing home administration within the
18 state with a view to the improvement of the standards imposed for the licensing of
19 ~~such~~ nursing home administrators and of procedures and methods for the
20 enforcement of ~~such~~ the standards under sub. (1) with respect to nursing home
21 administrators ~~of nursing homes who have been licensed as such~~; under this chapter.

22 **SECTION 8.** 456.02 (7) ^X of the statutes is amended to read:

23 456.02 (7) ~~Develop and enforce standards for the~~ Promulgate rules
24 establishing supervised practical experience ~~to be required~~ requirements that an
25 individual shall satisfy before allowing the individual to take an examination for

BILL

1 licensure; and as a nursing home administrator. The rules shall require the
 2 individual to complete at least 2,000 hours in any consecutive 3-year period within
 3 the 5-year period immediately preceding the date of application for examination in
 4 an internship ~~administrator-in-training program.~~ **INSERT 4-4** ✓

5 **SECTION 9.** 456.04 (4) of the statutes is repealed and recreated to read:

6 456.04 (4) ~~Has a bachelor's degree from a college or university accredited by~~
 7 ~~an accrediting body listed as nationally recognized by the secretary of the federal~~
 8 ~~department of education.~~ **INSERT 4-6** ✓

9 **SECTION 10.** 456.04 (5) of the statutes is created to read:

10 456.04 (5) Satisfies the supervised practical experience requirements
 11 promulgated under s. 456.02 (7).

12 **SECTION 11. Initial applicability.**

13 (1) ~~This act~~ first applies to examinations for licensure as a nursing home
 14 administrator held on the effective date of this subsection.

*The treatment of section
 456.02(7) of the
 statutes.*

15 **SECTION 12. Effective date.**

16 (1) This act takes effect on the first day of the 6th month beginning after
 17 publication. **INSERT 4-14** ✓

18 (END)

INSERT 4-11 ✓

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0740/2ins
MDK:.....

1

INSERT A:

~~NO~~ P Regarding education, the bill requires a person to have either: 1) a bachelor's, master's or doctoral degree with a health care administration or long~~term~~^{term} care major; or 2) a bachelor's degree and completion of a specialized course in nursing home administration. ~~NO~~ P

2

INSERT B:

P Also under current law, a person who has a nursing home administrator license in another state is eligible for a reciprocal nursing home administrator license if he or she satisfies certain requirements, including submitting satisfactory evidence of the person's qualifications to the examining board. This bill specifies the qualifications that a person must have to be eligible for a reciprocal license. Under the bill, an applicant for such a license must have a bachelor's degree or be certified as a nursing home administrator by the American College of Health Care Administrators and must have practiced as a nursing home administrator in good standing for at least 2,000 hours in any consecutive ~~two~~^{three}-year period within the ~~two~~^{five}-year period immediately preceding the date of application for the reciprocal license. Also, the applicant must not have an arrest or conviction record the circumstances of which substantially relate to nursing home administration. Finally, the person must pass an examination relating to state and federal laws governing the practice of nursing home administration.

3

INSERT 4-4:

4

~~NO~~ P or any other structured program approved by the examining board ~~NO~~ P

5

INSERT 4-6:

6

~~NO~~ P Has one of the following:

7

~~NO~~ P (a) ~~is~~ A bachelor's, master's or doctoral degree with a major in health care administration or long~~term~~^{term} care from an accredited college or university.

8

9

~~NO~~ P (b) ~~is~~ A bachelor's degree in any field from an accredited college or university and completion of a specialized course that the examining board determines is adequate preparation for nursing home administration.

10

11

12

INSERT 4-11:

13

SECTION 1. 456.08 of the statutes is renumbered 456.08 (intro.) and amended

14

to read:

③
Reciprocity.

1 **456.08** (intro.) The examining board may grant a nursing home administrator
2 license under this chapter to ~~a person~~ an applicant who holds a current nursing home
3 administrator license issued by the proper authorities of any other state or licensing
4 jurisdiction, upon payment of the fee specified in s. 440.05 (2) and upon submission
5 of ~~satisfactory evidence of the person's qualifications.~~ evidence satisfactory to the
6 examining board that the applicant satisfies each of the following:

History: 1977 c. 29; 1991 a. 39.

7 **SECTION 2.** 456.08 (1), (2), (3) and (4) of the statutes are created to read:

8 **456.08 (1)** The applicant has a bachelor's degree in any field or holds a current
9 certification as a nursing home administrator granted by the American College of
10 Health Care Administrators or its successor.

11 **(2)** The applicant has practiced as a nursing home administrator in good
12 standing for at least 2,000[✓] hours in any consecutive [✓]3-year period within the 5-year
13 period immediately preceding the date of application.

14 **(3)** Subject to ss. 111.321, 111.322 and 111.335[✓], the applicant does not have an
15 arrest or conviction record.

16 **(4)** The applicant has passed an examination approved by the examining board
17 relating to state and federal laws governing the practice of nursing home
18 administration.

INSERT 4-14:

19
20 ^{init. app} **(9)** [#] The renumbering and amendment of section 456.08[✓] of the statutes and the
21 creation of section 456.08 (1), (2), (3) and (4)[✓] of the statutes first apply[✓] to applications
22 received on the effective date of this subsection.[✓]

1999 SENATE BILL

RM
NOT
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Regen

1 **AN ACT to renumber and amend 456.08; to amend 456.02 (intro.), 456.02 (1),**
2 **456.02 (2), 456.02 (3), 456.02 (4), 456.02 (5), 456.02 (6) and 456.02 (7); to repeal**
3 **and recreate 456.04 (4); and to create 456.04 (5) and 456.08 (1), (2), (3) and**
4 **(4) of the statutes; relating to:** the requirements for examinations for nursing
5 home administrator licenses and for reciprocal nursing home administrator
6 licenses and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, a person must satisfy certain education requirements before he or she is allowed to take the examination for a nursing home administrator license. Specifically, he or she must complete a regular course of study, equivalent specialized courses or a program of study that is considered adequate academic preparation for nursing home administration by the nursing home administrator examining board (examining board). In addition, the examining board is required to develop and enforce standards regarding the supervised practical experience that is required for a person to be licensed as a nursing home administrator. A person may satisfy the supervised practical experience requirements before or after taking the examination.

This bill changes the requirements that a person must satisfy before taking the nursing home administrator examination. Under the bill, a person must satisfy certain education and supervised practical experience requirements before he or she

SENATE BILL

can take the examination. Regarding education, the bill requires a person to have either: 1) a bachelor's, master's or doctoral degree with a health care administration or long-term care major; or 2) a bachelor's degree and completion of a specialized course in nursing home administration. The bill directs the examining board to promulgate rules establishing the supervised practical experience requirements. The rules must require a person to complete at least 2,000 hours in an internship, administrator-in-training program or other structured program before he or she can take the examination. The 2,000 hours must be completed in any consecutive three-year period within the five-year period immediately preceding the date of application for the examination.

Also under current law, a person who has a nursing home administrator license in another state is eligible for a reciprocal nursing home administrator license if he or she satisfies certain requirements, including submitting satisfactory evidence of the person's qualifications to the examining board. This bill specifies the qualifications that a person must have to be eligible for a reciprocal license. Under the bill, an applicant for such a license must have a bachelor's degree or be certified as a nursing home administrator by the American College of Health Care Administrators and must have practiced as a nursing home administrator in good standing for at least 2,000 hours in any consecutive three-year period within the five-year period immediately preceding the date of application for the reciprocal license. Also, the applicant must not have an arrest or conviction record the circumstances of which substantially relate to nursing home administration. Finally, the person must pass an examination relating to state and federal laws governing the practice of nursing home administration.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 456.02 (intro.) of the statutes is amended to read:

2 **456.02 Duties.** (intro.) The examining board shall do all of the following:

3 SECTION 2. 456.02 (1) of the statutes is amended to read:

4 456.02 (1) Develop, impose and enforce standards ~~which must be met by~~
5 individuals that an individual is required to meet in order to receive a license as a
6 nursing home administrator, which. ~~The standards shall be designed to insure~~
7 ensure that a nursing home administrators will be individuals who are
8 administrator is of good character and are, otherwise suitable, and who, by training

SENATE BILL

1 or experience in the field of institutional administration, ~~are~~ is qualified to serve as
2 a nursing home ~~administrators;~~ administrator.

3 **SECTION 3.** 456.02 (2) of the statutes is amended to read:

4 456.02 (2) Develop and apply appropriate techniques, including examinations
5 and investigations, for determining whether an individual meets ~~such~~ the
6 standards; under sub. (1).

7 **SECTION 4.** 456.02 (3) of the statutes is amended to read:

8 456.02 (3) Issue ~~licenses to individuals~~ a license to an individual determined,
9 after the application of ~~such~~ the techniques under sub. (2), to meet ~~such~~ the
10 standards under sub. (1), and revoke or suspend ~~licenses~~ a license previously granted
11 by the examining board ~~in any case where~~ if the individual holding ~~any such~~ the
12 license is determined substantially to have failed to conform to the requirements of
13 ~~such~~ the standards;.

14 **SECTION 5.** 456.02 (4) of the statutes is amended to read:

15 456.02 (4) Establish and carry out procedures designed to ~~insure~~ ensure that
16 individuals licensed as nursing home administrators will, ~~during any period that~~
17 ~~they serve as such,~~ comply with the requirements of ~~such~~ the standards; under sub.
18 (1).

19 **SECTION 6.** 456.02 (5) of the statutes is amended to read:

20 456.02 (5) Subject to the rules promulgated under s. 440.03 (1), receive,
21 investigate, and take appropriate action with respect to, any charge or complaint
22 filed with the examining board to the effect that any individual licensed as a nursing
23 home administrator has failed to comply with the requirements of ~~such~~ the
24 standards; under sub. (1).

25 **SECTION 7.** 456.02 (6) of the statutes is amended to read:

SENATE BILL**SECTION 7**

1 456.02 (6) In cooperation with other agencies and appropriate organizations,
2 conduct a continuing study of the practice of nursing home administration within the
3 state with a view to the improvement of the standards imposed for the licensing of
4 such nursing home administrators and of procedures and methods for the
5 enforcement of such the standards under sub. (1) with respect to nursing home
6 administrators ~~of nursing homes who have been licensed as such;~~ under this chapter.

7 **SECTION 8.** 456.02 (7) of the statutes is amended to read:

8 456.02 (7) ~~Develop and enforce standards for the~~ Promulgate rules
9 establishing supervised practical experience to be required requirements that an
10 individual shall satisfy before allowing the individual to take an examination for
11 licensure; and as a nursing home administrator. The rules shall require the
12 individual to complete at least 2,000 hours in any consecutive 3-year period within
13 the 5-year period immediately preceding the date of application for examination in
14 an internship, administrator-in-training program or any other structured program
15 approved by the examining board.

16 **SECTION 9.** 456.04 (4) of the statutes is repealed and recreated to read:

17 456.04 (4) Has one of the following:

18 (a) A bachelor's, master's or doctoral degree with a major in health care
19 administration or long-term care from an accredited college or university.

20 (b) A bachelor's degree in any field from an accredited college or university and
21 completion of a specialized course that the examining board determines is adequate
22 preparation for nursing home administration.

23 **SECTION 10.** 456.04 (5) of the statutes is created to read:

24 456.04 (5) Satisfies the supervised practical experience requirements
25 promulgated under s. 456.02 (7).

SENATE BILL

1 **SECTION 11.** 456.08 of the statutes is renumbered 456.08 (intro.) and amended
2 to read:

3 **456.08 Reciprocity.** (intro.) The examining board may grant a nursing home
4 administrator license under this chapter to a ~~person~~ an applicant who holds a
5 current nursing home administrator license issued by the proper authorities of any
6 other state or licensing jurisdiction, upon payment of the fee specified in s. 440.05 (2)
7 and upon submission of ~~satisfactory evidence of the person's qualifications.~~ evidence
8 satisfactory to the examining board that the applicant satisfies each of the following:

9 **SECTION 12.** 456.08 (1), (2), (3) and (4) of the statutes are created to read:

10 456.08 (1) The applicant has a bachelor's degree in any field or holds a current
11 certification as a nursing home administrator granted by the American College of
12 Health Care Administrators ~~or its successor.~~

13 (2) The applicant has practiced as a nursing home administrator in good
14 standing for at least 2,000 hours in any consecutive 3-year period within the 5-year
15 period immediately preceding the date of application.

16 (3) Subject to ss. 111.321, 111.322 and 111.335, the applicant does not have an
17 arrest or conviction record.

18 (4) The applicant has passed an examination approved by the examining board
19 relating to state and federal laws governing the practice of nursing home
20 administration.

21 **SECTION 13. Initial applicability.**

22 (1) The treatment of section 456.02 (7) of the statutes first applies to
23 examinations for licensure as a nursing home administrator held on the effective
24 date of this subsection.

SENATE BILL

1 #
2 (2) The renumbering and amendment of section 456.08 of the statutes and the
3 creation of section 456.08 (1), (2), (3) and (4) of the statutes first apply to applications
4 received on the effective date of this subsection.

4 **SECTION 14. Effective date.**

5 (1) This act takes effect on the first day of the 6th month beginning after
6 publication.

7 (END)

✓
INSERT 6-6

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0740/3ins
MDK:.....

1

INSERT 6-6:

2

SECTION 1. Effective dates. This act takes effect on the first day of the 6th
3 month beginning after publication, except as follows:

3

4

(1) The treatment of section 456.02 (7) ✓ of the statutes takes effect on the day
5 after publication.

5

Mark - please make the following changes
as indicated below. This should be the last!

Shelton, Myra

From: Hansen, Clete
Sent: Tuesday, June 29, 1999 1:00 PM
To: Shelton, Myra
Cc: Jefferson-Moore, Ruby
Subject: Nursing Home Administrators Bill, LRB-0740/3

Need Senate + Assembly
Jackets.

Thanks + Have A
Great 4th of July,

Ruby left a voice mail message for me over the weekend (she is on vacation).

She said that the draft you sent me on July 23, 1999, needs a change in SECTION 14. Line 1, page 6, should read:
SECTION 14. Effective dates. This act takes effect 6 months after the date of publication.

I suppose the drafter will want to say: "on the first day of the 7th month beginning after publication."

Myra
:)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0740/2
MDK:jljg:km

SOON

4

1999 SENATE BILL

RM
NOT
RUN

1 AN ACT to renumber and amend 456.08; to amend 456.02 (intro.), 456.02 (1),
2 456.02 (2), 456.02 (3), 456.02 (4), 456.02 (5), 456.02 (6) and 456.02 (7); to repeal
3 and recreate 456.04 (4); and to create 456.04 (5) and 456.08 (1), (2), (3) and
4 (4) of the statutes; relating to: the requirements for examinations for nursing
5 home administrator licenses and for reciprocal nursing home administrator
6 licenses and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, a person must satisfy certain education requirements before he or she is allowed to take the examination for a nursing home administrator license. Specifically, he or she must complete a regular course of study, equivalent specialized courses or a program of study that is considered adequate academic preparation for nursing home administration by the nursing home administrator examining board (examining board). In addition, the examining board is required to develop and enforce standards regarding the supervised practical experience that is required for a person to be licensed as a nursing home administrator. A person may satisfy the supervised practical experience requirements before or after taking the examination.

This bill changes the requirements that a person must satisfy before taking the nursing home administrator examination. Under the bill, a person must satisfy certain education and supervised practical experience requirements before he or she

SENATE BILL

can take the examination. Regarding education, the bill requires a person to have either: 1) a bachelor's, master's or doctoral degree with a health care administration or long-term care major; or 2) a bachelor's degree and completion of a specialized course in nursing home administration. The bill directs the examining board to promulgate rules establishing the supervised practical experience requirements. The rules must require a person to complete at least 2,000 hours in an internship, administrator-in-training program or other structured program before he or she can take the examination. The 2,000 hours must be completed in any consecutive three-year period within the five-year period immediately preceding the date of application for the examination.

Also under current law, a person who has a nursing home administrator license in another state is eligible for a reciprocal nursing home administrator license if he or she satisfies certain requirements, including submitting satisfactory evidence of the person's qualifications to the examining board. This bill specifies the qualifications that a person must have to be eligible for a reciprocal license. Under the bill, an applicant for such a license must have a bachelor's degree or be certified as a nursing home administrator by the American College of Health Care Administrators and must have practiced as a nursing home administrator in good standing for at least 2,000 hours in any consecutive three-year period within the five-year period immediately preceding the date of application for the reciprocal license. Also, the applicant must not have an arrest or conviction record the circumstances of which substantially relate to nursing home administration. Finally, the person must pass an examination relating to state and federal laws governing the practice of nursing home administration.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 456.02 (intro.) of the statutes is amended to read:

2 **456.02 Duties.** (intro.) The examining board shall do all of the following:

3 **SECTION 2.** 456.02 (1) of the statutes is amended to read:

4 456.02 (1) Develop, impose and enforce standards ~~which must be met by~~
5 individuals that an individual is required to meet in order to receive a license as a
6 nursing home administrator, ~~which.~~ The standards shall be designed to insure
7 ensure that a nursing home ~~administrators will be individuals who are~~
8 administrator is of good character ~~and are,~~ otherwise suitable, and ~~who,~~ by training

SENATE BILL

1 or experience in the field of institutional administration, ~~are is~~ qualified to serve as
2 a nursing home ~~administrators; administrator.~~

3 **SECTION 3.** 456.02 (2) of the statutes is amended to read:

4 456.02 (2) Develop and apply appropriate techniques, including examinations
5 and investigations, for determining whether an individual meets ~~such the~~
6 standards; under sub. (1).

7 **SECTION 4.** 456.02 (3) of the statutes is amended to read:

8 456.02 (3) Issue licenses to individuals a license to an individual determined,
9 after the application of ~~such the~~ techniques under sub. (2), to meet ~~such the~~
10 standards under sub. (1), and revoke or suspend licenses a license previously granted
11 by the examining board ~~in any case where if~~ the individual holding ~~any such the~~
12 license is determined substantially to have failed to conform to the requirements of
13 ~~such the~~ standards;

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16 individuals licensed as nursing home administrators will, ~~during any period that~~
17 ~~they serve as such,~~ comply with the requirements of ~~such the~~ standards; under sub.
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SENATE BILL

1 456.02 (6) In cooperation with other agencies and appropriate organizations,
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3 state with a view to the improvement of the standards imposed for the licensing of
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6 administrators of nursing homes who have been licensed as such; under this chapter.

7 **SECTION 8.** 456.02 (7) of the statutes is amended to read:

8 456.02 (7) ~~Develop and enforce standards for the~~ Promulgate rules
9 establishing supervised practical experience to be required requirements that an
10 individual shall satisfy before allowing the individual to take an examination for
11 licensure; and as a nursing home administrator. The rules shall require the
12 individual to complete at least 2,000 hours in any consecutive 3-year period within
13 the 5-year period immediately preceding the date of application for examination in
14 an internship, administrator-in-training program or any other structured program
15 approved by the examining board.

16 **SECTION 9.** 456.04 (4) of the statutes is repealed and recreated to read:

17 456.04 (4) Has one of the following:

18 (a) A bachelor's, master's or doctoral degree with a major in health care
19 administration or long-term care from an accredited college or university.

20 (b) A bachelor's degree in any field from an accredited college or university and
21 completion of a specialized course that the examining board determines is adequate
22 preparation for nursing home administration.

23 **SECTION 10.** 456.04 (5) of the statutes is created to read:

24 456.04 (5) Satisfies the supervised practical experience requirements
25 promulgated under s. 456.02 (7).

SENATE BILL

1 **SECTION 11.** 456.08 of the statutes is renumbered 456.08 (intro.) and amended
2 to read:

3 **456.08 Reciprocity.** (intro.) The examining board may grant a nursing home
4 administrator license under this chapter to ~~a person~~ an applicant who holds a
5 current nursing home administrator license issued by the proper authorities of any
6 other state or licensing jurisdiction, upon payment of the fee specified in s. 440.05 (2)
7 and upon submission of ~~satisfactory evidence of the person's qualifications.~~ evidence
8 satisfactory to the examining board that the applicant satisfies each of the following:

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10 **456.08 (1)** The applicant has a bachelor's degree in any field or holds a current
11 certification as a nursing home administrator granted by the American College of
12 Health Care Administrators.

13 **(2)** The applicant has practiced as a nursing home administrator in good
14 standing for at least 2,000 hours in any consecutive 3-year period within the 5-year
15 period immediately preceding the date of application.

16 **(3)** Subject to ss. 111.321, 111.322 and 111.335, the applicant does not have an
17 arrest or conviction record.

18 **(4)** The applicant has passed an examination approved by the examining board
19 relating to state and federal laws governing the practice of nursing home
20 administration.

21 **SECTION 13. Initial applicability.**

22 **(1)** The renumbering and amendment of section 456.08 of the statutes and the
23 creation of section 456.08 (1), (2), (3) and (4) of the statutes first apply to applications
24 received on the effective date of this subsection.

SENATE BILL

1

SECTION 14. Effective dates. This act takes effect on the ^{first} day after publication,

2

except as follows:

3

(1) The treatment of section 456.02 (7) of the statutes takes effect on the day

4

after publication.

5

(END)

of the 7th month
beginning