

2001 DRAFTING REQUEST

Bill

Received: 11/17/2000

Received By: kunkemd

Wanted: As time permits

Identical to LRB:

For: Sheldon Wasserman (608) 266-7671

By/Representing: Sarah Osterberg

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:

Redraft 1999 AB 607

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1			martykr 11/21/2000	_____	lrb_docadmin 11/21/2000	lrb_docadmin 03/12/2001	

FE Sent For:

<END>

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1/?	kunkemd	1/20 jld	1/21	Jb Kun	1/21		

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D-NOTE

1999 ASSEMBLY BILL 607

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-1115/1
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December 1, 1999 - Introduced by Representatives WASSERMAN, HAHN, LA FAVE, J. LEHMAN, PETTIS, RILEY and RYBA, cosponsored by Senators MOEN, BURKE, DARLING, ERPENBACH, ROBSON, ROSENZWEIG and RUDE. Referred to Committee on Health.

Reger

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

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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:

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

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

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

is

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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:

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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).[✓]

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SECTION 11. 456.08^X of the statutes is renumbered 456.08 (intro.) and amended to read:

456.08 Reciprocity. (intro.) The examining board may grant a nursing home administrator license under this chapter to a person an applicant 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 ~~satisfactory evidence of the person's qualifications.~~ evidence satisfactory to the examining board that the applicant satisfies each of the following:

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

456.08 (1) The applicant has a bachelor's 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^X and 111.335[✓], the applicant does not have an arrest or conviction record.

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

SECTION 13. **Initial applicability.**

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1115/1dn

MDK:.....

JLD

Representative Wasserman:

This bill is identical to 1999 Assembly Bill 607. ✓

Mark D. Kunkel
Legislative Attorney
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1115/1dn
MDK:jld:km

November 21, 2000

Representative Wasserman:

This bill is identical to 1999 Assembly Bill 607.

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STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

November 21, 2000

MEMORANDUM

To: Representative Wasserman

From: Mark D. Kunkel, Legislative Attorney

Re: LRB-1115 Licensing criteria for nursing home administrators.

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-0131 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.