

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB16)

Received: **08/21/2003**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Sheldon Wasserman (608) 266-7671**

By/Representing: **Sarah**

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - misc**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **Rep.Wasserman@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Use of title and requirements for examination

Instructions:

See Attached

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>
/?							
/1	mkunkel 08/21/2003	csicilia 08/22/2003	rschluet 08/22/2003	_____	lemery 08/22/2003	lemery 08/22/2003	
/2	mkunkel 09/18/2003	csicilia 09/18/2003	jfrantze 09/19/2003	_____	mbarman 09/19/2003	mbarman 09/19/2003	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	mkunkel 10/01/2003	csicilia 10/01/2003	pgreensl 10/01/2003	_____	lemery 10/01/2003	lemery 10/01/2003	

FE Sent For:

<END>

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/2	mkunkel 09/18/2003	csicilia 09/18/2003	jfrantze 09/19/2003	_____ <i>LD</i> <i>A</i> <i>Sety</i>	mbarman 09/19/2003	mbarman 09/19/2003	

13 ijs 10/1/03 *10/1/03*

FE Sent For:

<END>

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/1	mkunkel 08/21/2003	csicilia 08/22/2003	rschluet 08/22/2003		lemery 08/22/2003	lemery 08/22/2003	

FE Sent For:

Handwritten: 8/19/03, Self, PJH, <END>

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Received: **08/21/2003**

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Drafter: **mkunkel**

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Subject: **Occupational Reg. - misc**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **Rep.Wasserman@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

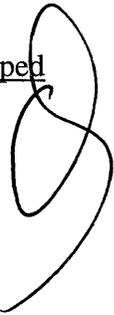
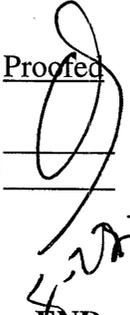
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/?	mkunkel	1 cjs 8/22/03					

FE Sent For:

<END>

Kunkel; Mark

From: Osterberg, Sarah
Sent: Monday, May 19, 2003 5:34 PM
To: Kunkel, Mark; Offerdahl, Mary
Subject: RE: assembly bill 16 question

Yes to both questions! Thanks, Mark.

-----Original Message-----

From: Kunkel, Mark
Sent: Monday, May 19, 2003 10:13 AM
To: Offerdahl, Mary; Osterberg, Sarah
Subject: RE: assembly bill 16 question

Sarah and Mary:

Am I correct that you don't want any amendments to the bill until the grandfather issue described below is resolved?

Also, you want to make sure that only a licensed person can use the title, right? If so, the bill must be amended because the exemption in proposed s. 456.12 covers both practice and title.

-- Mark

-----Original Message-----

From: Offerdahl, Mary
Sent: Thursday, May 15, 2003 5:55 PM
To: Osterberg, Sarah; 'sshluk@newnorth.net'; Jefferson-Moore, Ruby
Cc: Rostan, Jason; Donaldson, Bill; Kunkel, Mark
Subject: RE: assembly bill 16 question

Thanks Sarah,

I received your e-mail (below) just as I was e-mailing Jason to clarify my response to the grandfathering question I was asked this morning. Since your e-mail addresses the issue well, I'll just reply to recipients of your e-mail to expand on the issue a bit with the following explanation.

This morning I was responding with the issue of requirements *before* the licensure exam in mind. Already-licensed Nursing Home Administrators (NHAs) would not have to satisfy the requirements (see below) that must be met before taking the exam, since they already have taken it and received licensure. I was thinking about the grandfathering issue with respect to requirements established by the Board *for allowing persons to take the exam for licensure* as a nursing home administrator. Persons who have currently completed "a regular course of study or equivalent specialized courses or a program of study which the examining board considers adequate academic preparation for nursing home administration" under s. 456.04 (4), Stats., and who satisfy all of the other requirements of s. 456.04, Stats., must be allowed to take the exam under current law, *even though they may not have* :

- satisfied the "supervised practical experience requirements" established under the bill's proposed s. 456.02 (7) language and required under the bill's proposed s. 456.04 (5) language; or
- have a bachelor's degree under the bill's proposed s. 456.04 (4) language.

Under AB 16, if such a person applied to take the exam after the first day of the 7th month beginning after publication of the act (the effective date), they would have to satisfy the above-bulleted requirements in the bill. Rep. Wasserman may think that 7 months is sufficient "lag

time," but if he does not, the bill could easily be amended with language such as the following: "The examining board shall allow persons who satisfied the requirement under s. 456.04 (4), Stats., prior to the effective date of this act to take the exam for licensure as a nursing home administrator at any time after this act takes effect without having to satisfy the requirements of s. 456.04 (4) and (5) as established under this act." (LRB could draft the exact language.) That's one possibility--Sarah you mention in your e-mail the possibility of also grandfathering in people who "are in the process of taking classes" as an additional option.

Hope this helps. I would be happy to answer any questions and can be reached at (608) 266-2230. Best regards, Mary

Mary Offerdahl
Staff Attorney
Legislative Council

-----Original Message-----

From: Osterberg, Sarah
Sent: Thursday, May 15, 2003 5:13 PM
To: 'sshluk@newnorth.net'; Jefferson-Moore, Ruby
Cc: Rostan, Jason; Offerdahl, Mary; Donaldson, Bill; Kunkel, Mark
Subject: assembly bill 16 question

Dear Mr. Schallock and Ms. Jefferson-Moore,

As you know, AB 16 received a hearing today by the Assembly Committee on Aging and Long-Term Care. Legislative Council Attorney Mary Offerdahl made note of an issue that was raised at the hearing. While it is understood that the bill in effect grandfathers-in currently certified nursing home administrators, the proposal does not "exempt" individuals, such as CNAs, who are in the process of taking classes or have completed the course of study toward becoming certified (and have not taken the test).

Rep. Wasserman might be open to exempting such individuals from the new education requirements under AB 16, if the pool of people is of a reasonable size and if the board and the department would have no objection. My questions are: 1.) how many individuals would this involve in your estimation; 2.) would the board and the department oppose exempting these people; and, 3.) if so, why?

Your help, as always, is greatly appreciated. And, thanks again to Mr. Schallock for testifying today!

Sarah Osterberg
Wasserman Staff

Kunkel, Mark

From: Osterberg, Sarah
Sent: Friday, July 25, 2003 12:32 PM
To: Kunkel, Mark; Offerdahl, Mary
Cc: Donaldson, Bill
Subject: nursing home administrator bill

Mark,

See Mary Offerdahl's suggestion below

At last, I have an answer regarding the amendment you have been holding for AB 16. With respect to the educational component contained in the legislation, the NHA Board has no problem with extending the period of time one has to complete the process of licensure if they have met the current educational component prior to the day the bill goes into effect. This would allow for those individuals to finish their practical experience requirements. The board doesn't believe that this would be a large group of people.

Please add this change to the amendment you drew up in May that clarifies the use of the title of "nursing home administrator." FYI, I want to get moving on this as soon as possible so that we can get the bill on the committee's agenda again before the September floor period.

Thanks!

Sarah

-----Original Message-----

From: Offerdahl, Mary
Sent: Thursday, May 15, 2003 5:55 PM
To: Osterberg, Sarah; 'sshluk@newnorth.net'; Jefferson-Moore, Ruby
Cc: Rostan, Jason; Donaldson, Bill; Kunkel, Mark
Subject: RE: assembly bill 16 question

Thanks Sarah,

I received your e-mail (below) just as I was e-mailing Jason to clarify my response to the grandfathering question I was asked this morning. Since your e-mail addresses the issue well, I'll just reply to recipients of your e-mail to expand on the issue a bit with the following explanation.

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- satisfied the "supervised practical experience requirements" established under the bill's proposed s. 456.02 (7) language and required under the bill's proposed s. 456.04 (5) language; or
- have a bachelor's degree under the bill's proposed s. 456.04 (4) language.

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beginning after publication of the act (the effective date), they would have to satisfy the above-bulleted requirements in the bill. Rep. Wasserman may think that 7 months is sufficient "lag time," but if he does not, the bill could easily be amended with language such as the following: "The examining board shall allow persons who satisfied the requirement under s. 456.04 (4), Stats., prior to the effective date of this act to take the exam for licensure as a nursing home administrator at any time after this act takes effect without having to satisfy the requirements of s. 456.04 (4) and (5) as established under this act." (LRB could draft the exact language.) That's one possibility--Sarah you mention in your e-mail the possibility of also grandfathering in people who "are in the process of taking classes" as an additional option.

Hope this helps. I would be happy to answer any questions and can be reached at (608) 266-2230. Best regards, Mary

Mary Offerdahl
Staff Attorney
Legislative Council

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From: Osterberg, Sarah
Sent: Thursday, May 15, 2003 5:13 PM
To: 'sshluk@newnorth.net'; Jefferson-Moore, Ruby
Cc: Rostan, Jason; Offerdahl, Mary; Donaldson, Bill; Kunkel, Mark
Subject: assembly bill 16 question

Dear Mr. Schallock and Ms. Jefferson-Moore,

As you know, AB 16 received a hearing today by the Assembly Committee on Aging and Long-Term Care. Legislative Council Attorney Mary Offerdahl made note of an issue that was raised at the hearing. While it is understood that the bill in effect grandfathers-in currently certified nursing home administrators, the proposal does not "exempt" individuals, such as CNAs, who are in the process of taking classes or have completed the course of study toward becoming certified (and have not taken the test).

Rep. Wasserman might be open to exempting such individuals from the new education requirements under AB 16, if the pool of people is of a reasonable size and if the board and the department would have no objection. My questions are: 1.) how many individuals would this involve in your estimation; 2.) would the board and the department oppose exempting these people; and, 3.) if so, why?

Your help, as always, is greatly appreciated. And, thanks again to Mr. Schallock for testifying today!

Sarah Osterberg
Wasserman Staff

Kunkel, Mark

From: Osterberg, Sarah
Sent: Wednesday, August 20, 2003 5:00 PM
To: Kunkel, Mark
Subject: FW: assembly bill 16 question

-----Original Message-----

From: sshluk [mailto:sshluk@newnorth.net]
Sent: Monday, May 19, 2003 5:09 PM
To: Osterberg, Sarah
Subject: Re: assembly bill 16 question

Ms Osterberg

In thinking about the questions that you posed in you e-mail regarding assembly bill 16 and the grandfathering issue.

With respect to the educational component I could see extending the period of time one has to complete the process of licensure if they have met the current educational component prior to the day the bill goes into effect. This would allow for those individuals to finish their practical experience requirements. I don't believe that this would be a large group.

With respect to those who are "in process". This could potentially be a slippery slope. If an individual took a college course 5 years ago could they claim they are they in process? How much time would an exempt person be given to complete the course work (2yrs for associate degree, 4 yrs for a bachelors degree, etc)? This could potentially be a nightmare for the Board and Department staff to have to make determinations on.

With respect to the number of individuals involved, it would be extremely difficult to determine. The Department has no information on the numbers of people enrolled in schools that offer the regular course of study and those that offer specialized courses. Again, I don't believe the number will be great here either, but the only way we could determine that would be to poll those academic programs.

One other issue. I talked to Reprehensive Wasserman after the hearing regarding assembly bill 314. I couldn't recall the number of the bill when I talked to him but stated I would get that information to his office. AB314 is directly related to this whole issue. I first saw it the day before the hearing on AB 16. I don't know if you have seen it yet, but you might want to look at. It has a dramatic effect on all of these issues.

I hope this helps. Feel free to contact me if I can help in any other way.

Sincerely,

Jerry J. Schallock
Chair - Nursing Home Administrators Board

----- Original Message -----

From: "Osterberg, Sarah" <Sarah.Osterberg@legis.state.wi.us>
To: <sshluk@newnorth.net>; "Jefferson-Moore, Ruby"
<Ruby.Jefferson-Moore@drl.state.wi.us>
Cc: "Rostan, Jason" <Jason.Rostan@legis.state.wi.us>; "Offerdahl, Mary"
<Mary.Offerdahl@legis.state.wi.us>; "Donaldson, Bill"
<Bill.Donaldson@ltc.state.wi.us>; "Kunkel, Mark"
<Mark.Kunkel@legis.state.wi.us>

Sent: Thursday, May 15, 2003 5:29 PM
Subject: RE: assembly bill 16 question

P.S.--Many thanks also to Bill Donaldson for testifying. (Sorry, Bill!)

> -----Original Message-----

> From: Osterberg, Sarah
> Sent: Thursday, May 15, 2003 5:13 PM
> To: 'sshluk@newnorth.net'; Jefferson-Moore, Ruby
> Cc: Rostan, Jason; Offerdahl, Mary; Donaldson, Bill; Kunkel, Mark
> Subject: assembly bill 16 question

> Dear Mr. Schallock and Ms. Jefferson-Moore,

> As you know, AB 16 received a hearing today by the Assembly Committee on Aging and Long-Term Care. Legislative Council Attorney Mary Offerdahl made note of an issue that was raised at the hearing. While it is understood that the bill in effect grandfathers-in currently certified nursing home administrators, the proposal does not "exempt" individuals, such as CNAs, who are in the process of taking classes or have completed the course of study toward becoming certified (and have not taken the test).

> Rep. Wasserman might be open to exempting such individuals from the new education requirements under AB 16, if the pool of people is of a reasonable size and if the board and the department would have no objection. My questions are: 1.) how many individuals would this involve in your estimation; 2.) would the board and the department oppose exempting these people; and, 3.) if so, why?

> Your help, as always, is greatly appreciated. And, thanks again to Mr. Schallock for testifying today!

> Sarah Osterberg
> Wasserman Staff



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa0840/1

MDK:/:....

ejs

*TODAY
From Roglow
8/22
NOON*

ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 16

inserts

bill list

1 At the locations indicated, amend the bill as follows:

2 1. Page 4, line 16: after "requirements that" insert "except as provided in s.
3 456.04 (2m).".

4 2. Page 4, line 18: delete "The rules" and substitute "Except as provided in s.
5 456.04 (2m), the rules".

6 3. Page 4, line 23: delete the material beginning with that line and ending with
7 page 5, line 5 and substitute:

8 4. Page 4, line 23: delete lines 23 and 24 and substitute:

9 "SECTION 9b. 456.04 (intro.) of the statutes is renumbered 456.04 (1m) (intro.)
10 and amended to read:

11 456.04 (1m) (intro.) The Except as provided in sub. (2m), the examining board
12 shall allow any person to take the examination for licensure as a nursing home
13 administrator who satisfies all of the following requirements:

History: 1971 c. 213 s. 5; 1975 c. 198; 1977 c. 29, 333; 1979 c. 337; 1981 c. 380; 1981 c. 391 s. 211.

of the statutes - 2 -

INSERT 2-8

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~~SECTION 9i.~~ 456.04 (1) as renumbered 456.04 (1m) (a).

~~SECTION 9k.~~ 456.04 (1m) (d) of the statutes is created to read:

456.04 (1m) (d) Has one of the following:

1. A bachelor's, master's, or doctoral degree with a major in health care administration or long-term care from an accredited college or university.
2. 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.

~~SECTION 9s.~~ 456.04 (2) of the statutes is renumbered 456.04 (1m) (b).

~~SECTION 9t.~~ 456.04 (2m) of the statutes is created to read:

456.04 (2m) The examining board shall allow a person to take the examination for licensure as a nursing home administrator if he or she pays the fee specified in s. 440.05 (1) (b) and if, before the effective date of this subsection [revisor inserts date], he or she has satisfied the requirements of s. 456.04 (4), 2001 stats. If the person passes the examination, the examining board shall grant him or her a license if he or she satisfies the requirements specified in sub. (1m) (a) to (d).

~~SECTION 9w.~~ 456.04 (3) of the statutes is renumbered 456.04 (1m) (c).

~~SECTION 9y.~~ 456.04 (4) of the statutes is repealed.”.

~~5.~~ Page 5, line 9: delete lines 9 to 17.

~~6.~~ Page 6, line 15: delete “any designation” and substitute “any title or designation”.

~~7.~~ Page 6, line 19: delete lines 19 to 22 and substitute:

“~~456.12 Exemption.~~ This chapter does not apply to a person who ~~practices~~ ^{acts in the capacity of} an administrator of a nursing home operated by adherents of a church or religious

1. denomination which subscribes to the act of healing by prayer and the principles of
2. which are opposed to medical treatment, but only if the person does not use in
3. connection with his or her name any title or designation tending to imply that the
4. person is a nursing home administrator.” ☉

5

(END)

**2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0840/lins
MDK:.....

1

INSERT 2-8:

2

SECTION 9L. 456.04 (1m) (e) of the statutes is created to read:

3

456.04 **(1m)** (e) Satisfies the supervised practical experience requirements

4

specified in the rules promulgated under s. 456.02 (7).

Kunkel, Mark

From: Osterberg, Sarah
Sent: Thursday, September 18, 2003 9:26 AM
To: Kunkel, Mark
Cc: Offerdahl, Mary; Jefferson-Moore, Ruby
Subject: DRAFTING REQUEST

Importance: High

Mark,

Please draw up a new amendment to AB 16 to reflect the requests of the NHA Board reflected in the memo below. This will replace LRBA0840/1; I will send you the stripes now. Please also include in the new amendment the language from the old amendment on page three that protects the use of the term "nursing home administrator".

Sheldon needs this asap. THANKS.

Sarah

P.S.--Feel free to consult with Jerry Shallock (contact info is included in the attached memo), Ruby Jefferson-Moore and/or with Mary Offerdahl.

-----Original Message-----

From: Jefferson-Moore, Ruby
Sent: Wednesday, September 17, 2003 9:44 AM
To: Osterberg, Sarah; 'sshluk'
Cc: Offerdahl, Mary; Kunkel, Mark; Lowrie, Jerry; Klein, Christopher
Subject: RE: question on nursing home administrator exam bill
Importance: High

Sarah: I apologize for the delay in responding to your request. Since the Board was scheduled to meet on September 11th, we decided to forward your request to the Board for review. The Board's response is set forth in the attached memo. Please contact me or Jerry if you have any additional questions.



Osterberg Memo
091703.doc

-----Original Message-----

From: Osterberg, Sarah
Sent: Tuesday, September 02, 2003 10:48 AM
To: Jefferson-Moore, Ruby; 'sshluk'
Cc: Offerdahl, Mary; Kunkel, Mark
Subject: question on nursing home administrator exam bill

Ruby and Jerry,

Please review AB 16 and the proposed amendment (both attached), in relation to Legislative Council Attorney Mary Offerdahl's comments below. Do we need to further amend the legislation, or is what Mary has outlined what the board wants to occur? Please email me back as soon as possible.

Thanks for your help,

Sarah Osterberg
Wasserman Staff
608-266-7671

<< File: 0840 >> << File: AB-16.pdf >>

-----Original Message-----

From: Offerdahl, Mary
Sent: Thursday, August 28, 2003 6:01 PM
To: Osterberg, Sarah
Subject: RE: question

Hi Sarah,

I've just reviewed the amendment to AB 16. Rep. Wasserman should be aware that the bill as amended does not completely "grandfather in" a person who, before the effective date of the relevant subsection, has completed "a regular course of study or equivalent specialized courses or a program of study which the examining board considers adequate academic preparation for nursing home administration" under current law s. 456.04 (4), 2001 Stats.

Although such a person would be allowed under the bill as amended to take the examination for licensure, such a person would not be completely "grandfathered in" because the bill as amended, under s. 456.04 (2m), would still require such a person to satisfy "the requirements specified in sub. (1m) (a) to (e)" before the examining board must grant the person a license (see line 18 on page 2 of the amendment). Two of these requirements--the requirement to earn a bachelor's degree under sub. (1m) (d) and the requirement to complete 2000 hours as part of the supervised practical experience requirements under sub. (1m) (e)--involve significant investments and are not required under current statutes. Although sub. (1m) (e) refers to s. 456.02 (7), which as amended by the bill includes the language "except as provided in s. 456.04 (2m)", the language at the end of s. 456.04 (2m) appears to indicate that the requirements in s. 456.04 (1m) (d) and (e), while they do not have to be met by such a person before examination for licensure, must nevertheless be met by such a person before licensure.

I'm going to be off of work tomorrow (Friday), but will be back in the office Tuesday after the holiday weekend. Please call me if you have any questions. Have a good weekend, Mary

Mary Offerdahl
Staff Attorney
Legislative Council

-----Original Message-----

From: Osterberg, Sarah
Sent: Monday, August 25, 2003 9:07 AM
To: Offerdahl, Mary
Subject: question

Hi, Mary,

I recently received the attached amendment to AB 16, which is Rep. Wasserman's nursing home administrator bill. I know it's been a while, but could you please look it over and let me know if it covers the concerns you expressed?

Thanks!

Sarah Osterberg
Wasserman Staff

-----Original Message-----

From: Emery, Lynn
Sent: Friday, August 22, 2003 10:21 AM
To: Rep.Wasserman
Subject: LRB 03a0840 Topic: Use of title and requirements for examination

The attached proposal has been jacketed for introduction.

A copy has also been sent to:

<< File: 0840 >>



State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CORRESPONDENCE / MEMORANDUM

DATE: September 17, 2003

TO: **Sarah Osterberg**
Office of Rep. Sheldon Wasserman

FROM: **Ruby Jefferson-Moore**
Office of Legal Counsel

SUBJECT: **Assembly Amendment to 2003 Assembly Bill 16 (LRBa0840/1)**

The Nursing Home Administrator Examining Board reviewed the proposed amendment to 2003 Assembly Bill 16 at its meeting on September 11, 2003. Based upon the Board's review of the amendment and the questions presented, the Board voted to revise the draft as follows:

(1) **In General**: The Board concluded that all applicants must satisfy some component of the educational and experience requirements. No applicant should be exempt from having to meet these requirements. However, for those individuals who are enrolled in a "program of study", "specialized course" or "regular course of study", the Board expressed a willingness to provide some flexibility in terms of when the educational and experience requirements must be met. [For your information, the terms "program of study", "specialized course" and "regular course of study" are defined in subs. NHA 1.02 (6), (7), (8) and (9), Wis. Adm. Code.]

(2) **Educational Requirements**: The draft should be revised to reflect that individuals who are enrolled in a program of study, specialized course or regular course of study, pursuant to s. 456.04 (4), 2001 Stats., within the two year period prior to the effective date of the legislation will be required to complete the appropriate course work no later than two years after the effective date of the legislation. [Refer to page 2, Section 9u, lines 15-16.]

In addition, the Board concluded that those individuals, who are enrolled in a program of study, specialized course or regular course of study, as noted above, will not be required to complete the bachelor's degree requirement. Therefore, the Board requests that the amendment be revised as follows:

Page 2, Section 9u:

(A) Line 18: As it relates to those individuals who complete a program of study, specialized course or regular course of study, omit the reference to (1m) (d).

(B) Lines 16-18: As requested initially, the Board would like the applicants to complete the educational requirements, as well as the experience requirements, prior to sitting for the examination. Please revise accordingly.

(3) **Experience Requirements**: For those individuals who are enrolled in a program of study or a specialized course, the draft should be revised to reflect that they must complete one year of experience no later than two years after the effective date of the legislation. For those individuals who are enrolled in a "regular course of study", the draft should reflect that they must complete a "supervised clinical practicum" no later than two years after the effective date of the legislation. [The term "supervised clinical practicum" is defined in subs. NHA 1.02 (9), Code.]

(4) **"Grandfathering" of Current Licensees**: The Board would like the draft to reflect that the proposed revisions do not apply to individuals licensed prior to the effective date of the legislation.

NOT
Necessary

(5) **Minor Revision**: Unless subs. 440.05 (1) has been revised, an applicant will be required to pay the fee specified in paragraphs (a) and (b) of the statutes. [Refer to page 2, Section 9u, line 15.] ✓

If you have any questions regarding this matter, please contact me at (608) 266-3679 or Chairman Jerry Schallock at (715) 365-6858.



State of Wisconsin
2003 - 2004 LEGISLATURE

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ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 16

- 1 At the locations indicated, amend the bill as follows: ✓
- 2 **1.** Page 4, line 16: after “requirements that” insert “, except as provided in s.
3 456.04 (2m).”.
- 4 **2.** Page 4, line 18: delete “The rules” and substitute “Except as provided in s.
5 456.04 (2m), the rules”.
- 6 **3.** Page 4, line 23: delete the material beginning with that line and ending with
7 page 5, line 17, and substitute: (except 456.04 (title))
8 “**SECTION 9b.** 456.04 (intro.) of the statutes is renumbered 456.04 (1m) (intro.)
9 and amended to read:
10 456.04 (1m) (intro.) The Except as provided in sub. (2m), the examining board
11 shall allow any person to take the examination for licensure as a nursing home
12 administrator who satisfies all of the following requirements:
13 **SECTION 9e.** 456.04 (1) of the statutes is renumbered 456.04 (1m) (a).

1 SECTION 9h. 456.04 (1m) (d) of the statutes is created to read:

2 456.04 (1m) (d) Has one of the following:

3 1. A bachelor's, master's, or doctoral degree with a major in health care
4 administration or long-term care from an accredited college or university.

5 2. A bachelor's degree in any field from an accredited college or university and
6 completion of a specialized course that the examining board determines is adequate
7 preparation for nursing home administration.

8 SECTION 9L. 456.04 (1m) (e) of the statutes is created to read:

9 456.04 (1m) (e) Satisfies the supervised practical experience requirements
10 specified in the rules promulgated under s. 456.02 (7).

11 SECTION 9o. 456.04 (2) of the statutes is renumbered 456.04 (1m) (b).

12 SECTION 9u. 456.04 (2m) of the statutes is created to read:

13 456.04 (2m) The examining board shall allow a person to take the examination
14 for licensure as a nursing home administrator if he or she pays the fee specified in

INSERT 2-14

15 s. 440.05 (1) (b) and if, before the effective date of this subsection (revisor inserts
16 date), he or she has satisfied the requirements of s. 456.04 (4), 2001 stats. If the
17 person passes the examination, the examining board shall grant him or her a license
18 if he or she satisfies the requirements specified in sub. (1m) (a) to (e).

19 SECTION 9w. 456.04 (3) of the statutes is renumbered 456.04 (1m) (c).

20 SECTION 9y. 456.04 (4) of the statutes is repealed.”

21 4. Page 6, line 15: delete “any designation” and substitute “any title or
22 designation”.

23 5. Page 6, line 19: delete lines 19 to 22 and substitute:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0840/2dn
MDK:.....

gjs

Rep. Wasserman:

This version of the amendment makes changes that are consistent with the instructions in the Memo from Ruby Jefferson-Moore dated Sept. 17.

However, note that there is no need to specify that the bill's changes do not affect persons whom the board has already granted licenses. As amended, the bill changes the requirements for obtaining a license, and, therefore, does *not* affect a person who already has obtained a license.

If you have any questions, please get in touch with me. ✓

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0840/2dn
MDK:cjs:jf

September 19, 2003

Rep. Wasserman:

This version of the amendment makes changes that are consistent with the instructions in the Memo from Ruby Jefferson–Moore dated Sept. 17.

However, note that there is no need to specify that the bill's changes do not affect persons whom the board has already granted licenses. As amended, the bill changes the requirements for obtaining a license, and, therefore, does *not* affect a person who already has obtained a license.

If you have any questions, please get in touch with me.

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State of Wisconsin
2003 - 2004 LEGISLATURE

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ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 16

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- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 4, line 16: after “requirements that” insert “, except as provided in s.
- 3 456.04 (2m),”.
- 4 **2.** Page 4, line 18: delete “The rules” and substitute “Except as provided in s.
- 5 456.04 (2m), the rules”.
- 6 **3.** Page 4, line 23: delete the material beginning with that line and ending with
- 7 page 5, line 17, and substitute:
- 8 “**SECTION 9b.** 456.04 (intro.) (except 456.04 (title)) of the statutes is
- 9 renumbered 456.04 (1m) (intro.) and amended to read:
- 10 456.04 (1m) (intro.) The Except as provided in sub. (2m), the examining board
- 11 shall allow any person to take the examination for licensure as a nursing home
- 12 administrator who satisfies all of the following requirements:
- 13 **SECTION 9e.** 456.04 (1) of the statutes is renumbered 456.04 (1m) (a).

1 **SECTION 9h.** 456.04 (1m) (d) of the statutes is created to read:

2 456.04 (1m) (d) Has one of the following:

3 1. A bachelor's, master's, or doctoral degree with a major in health care
4 administration or long-term care from an accredited college or university.

5 2. A bachelor's degree in any field from an accredited college or university and
6 completion of a specialized course that the examining board determines is adequate
7 preparation for nursing home administration.

8 **SECTION 9L.** 456.04 (1m) (e) of the statutes is created to read:

9 456.04 (1m) (e) Satisfies the supervised practical experience requirements
10 specified in the rules promulgated under s. 456.02 (7).

11 **SECTION 9o.** 456.04 (2) of the statutes is renumbered 456.04 (1m) (b).

12 **SECTION 9u.** 456.04 (2m) of the statutes is created to read:

13 456.04 (2m) The examining board shall allow a person to take the examination
14 for licensure as a nursing home administrator if he or she satisfies the requirements
15 specified in sub. (1m) (a), (b), and (c) and all of the following are satisfied:

16 (a) The person was enrolled, at any time within the 2-year period before the
17 effective date of this paragraph [revisor inserts date], in a regular course of study
18 or equivalent specialized courses or a program of study that the examining board
19 considered adequate academic preparation for nursing home administration under
20 s. 456.04 (4), 2001 stats.

21 (b) No later than 2 years after the effective date of this paragraph [revisor
22 inserts date], the person completes the regular course of study, specialized courses,
23 or program of study specified in par. (a).

24 (c) If the person was enrolled, at any time within the 2-year period before the
25 effective date of this paragraph [revisor inserts date], in specialized courses or a

1 program of study specified in par. (a), the person completes, no later than 2 years
2 after the effective date of this paragraph [revisor inserts date], one year of
3 supervised practical experience as specified in rules promulgated by the examining
4 board.

5 (d) If the person was enrolled, at any time within the 2-year period before the
6 effective date of this paragraph [revisor inserts date], in a regular course of study
7 specified in par. (a), the person completes, no later than 2 years after the effective
8 date of this paragraph [revisor inserts date], a supervised clinical practicum as
9 specified in rules promulgated by the examining board.

10 **SECTION 9w.** 456.04 (3) of the statutes is renumbered 456.04 (1m) (c).

11 **SECTION 9y.** 456.04 (4) of the statutes is repealed.”.

12 **4.** Page 6, line 15: delete “any designation” and substitute “any title or
13 designation”.

14 **5.** Page 6, line 19: delete lines 19 to 22 and substitute:

15 **“456.12 Exemption.** This chapter does not apply to a person who acts in the
16 capacity of an administrator of a nursing home operated by adherents of a church or
17 religious denomination which subscribes to the act of healing by prayer and the
18 principles of which are ~~opposed to~~ medical treatment, if the person does not use in
19 connection with his or her name any title or designation tending to imply that the
20 person is a nursing home administrator.”.

21 (END)

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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Rep. Wasserman:

This version is identical to the previous version, except that the exemption refers to principles that ***do not include*** medical treatment, rather principles that are ***opposed*** to medical treatment.

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0840/3dn
MDK:cjs:pg

October 1, 2003

Rep. Wasserman:

This version is identical to the previous version, except that the exemption refers to principles that *do not include* medical treatment, rather principles that are *opposed* to medical treatment.

Mark D. Kunkel
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#. Page 3, line 18: delete "are".

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State of Wisconsin
2003-2004 LEGISLATURE

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 1,
TO 2003 ASSEMBLY BILL 16**

Prepared by the Legislative Reference Bureau
(February 26, 2004)

1. Page 3, line 18: delete "are".

(END)