

SECOND REGULAR SESSION

# SENATE BILL NO. 877

91ST GENERAL ASSEMBLY

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INTRODUCED BY SENATOR SIMS.

Pre-filed January 7, 2002, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

3669S.011

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## AN ACT

To repeal section 344.060, RSMo, relating to the Missouri board of nursing home administrators, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 344.060, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 344.060, to read as follows:

344.060. 1. The [director of the department of social services] **governor, with the advice and consent of the senate**, shall appoint ten suitable persons who together with the director of the division of aging of the department of [social] **health and senior** services shall constitute the "Missouri Board of Nursing Home Administrators" which is hereby created **within the division of professional registration in the department of economic development** and which shall have the functions, powers and duties prescribed by sections 344.010 to 344.100.

2. In addition to the director of the division of aging or his designee the membership of the board shall consist of one licensed physician, two licensed health professionals, one person from the field of health care education, four persons who have been in general administrative charge of a licensed nursing home for a period of at least five years immediately preceding their appointment, and two public members. The public members shall be persons who are not, or

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

never were, licensed nursing home administrators or the spouse of such persons, or persons who do not have or never have had a material, financial interest in either the providing of licensed nursing home services or in an activity or organization directly related to licensed nursing home administration. Neither the one licensed physician, the two licensed health professionals, nor the person from the health care education field shall have any financial interest in a licensed nursing home.

3. The members of the board shall be appointed for three-year terms or until their successors are appointed and qualified provided that no more than four members' terms shall expire in the same year. All members appointed prior to September 28, 1979, shall serve the term for which they were appointed. The governor shall fill any vacancies on the board [from a list of five names submitted by the director of the department of social services] **as necessary**. Appointment to fill an unexpired term shall not be considered an appointment for a full term. Board membership, continued until successors are appointed and qualified, shall not constitute an extension of the three-year term and the successors shall serve only the remainder of the term.

4. [To] Every member [appointed by the director of the department of social services, there] shall [be issued] **receive** a certificate of appointment; and every appointee, before entering upon his **or her** duties, shall take the oath of office required by article VII, section 11, of the Constitution of Missouri.

5. Any member of the board may be removed by the director of the [department of social services] **division of professional registration** for misconduct, incompetency or neglect to duty after first being given an opportunity to be heard in his own behalf.

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