

FIRST REGULAR SESSION

# SENATE BILL NO. 375

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RIDDLE.

Read 1st time February 12, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1801S.02I

## AN ACT

To repeal section 344.030, RSMo, and to enact in lieu thereof one new section relating to nursing home administrator licenses.

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

Section A. Section 344.030, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 344.030, to read as follows:

344.030. 1. An applicant for an initial license shall file a completed  
2 application with the board on a form provided by the board, accompanied by an  
3 application fee as provided by rule payable to the department of health and senior  
4 services. Information provided in the application shall be attested by signature  
5 to be true and correct to the best of the applicant's knowledge and belief.

6 2. No initial license shall be issued to a person as a nursing home  
7 administrator unless:

8 (1) The applicant provides the board satisfactory proof that the applicant  
9 is of good moral character and a high school graduate or equivalent; **and**

10 (2) The applicant provides the board satisfactory proof that the applicant  
11 has had a minimum of three years' experience in health care administration, or  
12 two years of postsecondary education in health care administration, **or has an**  
13 **associate degree or higher from an accredited academic institution and**  
14 **has met the criteria established by the board**, or has satisfactorily  
15 completed a course of instruction and training prescribed by the board, which  
16 includes instruction in the needs properly to be served by nursing homes, the  
17 protection of the interests of residents therein, and the elements of good nursing  
18 home administration, or has presented evidence satisfactory to the board of  
19 sufficient education, training, or experience in the foregoing fields to administer,

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

20 supervise and manage a nursing home; and

21           (3) The applicant passes the examinations administered by the board. If  
22 an applicant fails to make a passing grade on either of the examinations such  
23 applicant may make application for reexamination on a form furnished by the  
24 board and may be retested. If an applicant fails either of the examinations a  
25 third time, the applicant shall be required to complete a course of instruction  
26 prescribed and approved by the board. After completion of the board-prescribed  
27 course of instruction, the applicant may reapply for examination. With regard to  
28 the national examination required for licensure, no examination scores from other  
29 states shall be recognized by the board after the applicant has failed his or her  
30 third attempt at the national examination. There shall be a separate,  
31 nonrefundable fee for each examination. The board shall set the amount of the  
32 fee for examination by rules and regulations promulgated pursuant to section  
33 536.021. The fee shall be set at a level to produce revenue which shall not  
34 substantially exceed the cost and expense of administering the examination.

35           3. Nothing in [sections 344.010 to 344.108] **this chapter**, or the rules or  
36 regulations thereunder shall be construed to require an applicant for a license as  
37 a nursing home administrator, who is employed by an institution listed and  
38 certified by the Commission for Accreditation of Christian Science Nursing  
39 Organizations/Facilities, Inc., to administer institutions certified by such  
40 commission for the care and treatment of the sick in accordance with the creed  
41 or tenets of a recognized church or religious denomination, to demonstrate  
42 proficiency in any techniques or to meet any educational qualifications or  
43 standards not in accord with the remedial care and treatment provided in such  
44 institutions. The applicant's license shall be endorsed to confine the applicant's  
45 practice to such institutions.

46           4. The board may issue a temporary emergency license for a period not to  
47 exceed [ninety] **one hundred and twenty** days to a person [twenty-one years  
48 of age or over, of good moral character and a high school graduate or equivalent]  
49 **that has met the temporary emergency license criteria established by**  
50 **the board** to serve as an acting nursing home administrator, provided such  
51 person is replacing a licensed nursing home administrator who has died, has been  
52 removed or has vacated the nursing home administrator's position. No temporary  
53 emergency license may be issued to a person who has had a nursing home  
54 administrator's license denied, suspended or revoked. A temporary emergency  
55 license may be renewed for one additional ninety-day period upon a showing that

56 the person seeking the renewal of a temporary emergency license meets the  
57 qualifications for licensure and has filed an application for a regular license,  
58 accompanied by the application fee, and the applicant has taken the examination  
59 or examinations but the results have not been received by the board. No  
60 temporary emergency license may be renewed more than one time.

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