

By: Representative Turner

To: Public Health and Human Services

HOUSE BILL NO. 95
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 73-17-11, MISSISSIPPI CODE OF 1972,
2 TO INCREASE MAXIMUM AMOUNT OF THE FEE THAT THE STATE BOARD OF
3 NURSING HOME ADMINISTRATORS MAY CHARGE FOR INITIAL LICENSES AND
4 BIENNIAL RENEWAL OF LICENSES; TO DELETE THE DATE OF THE REPEALER
5 ON THE LICENSURE REQUIREMENTS FOR NURSING HOME ADMINISTRATORS; TO
6 AUTHORIZE THE STATE BOARD OF NURSING HOME ADMINISTRATORS TO
7 CONDUCT CRIMINAL HISTORY RECORD CHECKS ON APPLICANTS FOR
8 LICENSURE; TO EXEMPT FROM CONTINUING EDUCATION REQUIREMENTS FOR
9 LICENSE RENEWAL MEMBERS OF THE LEGISLATURE WHO SERVE ON THE PUBLIC
10 HEALTH AND/OR MEDICAID COMMITTEE; AND FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** Section 73-17-11, Mississippi Code of 1972, is
13 amended as follows:

14 73-17-11. (1) From and after July 1, 2011, in order to be
15 eligible to be licensed as a nursing home administrator, an
16 individual must submit evidence satisfactory to the board that he
17 or she:

18 (a) Is at least twenty-one (21) years of age;

19 (b) Is of good moral character, including evidence of a
20 criminal background check within the last six (6) months, under
21 Section 43-11-13 and Section G.407.3 of the Minimum Standards for
22 Institutions for the Aged or Infirm;



23 (c) Is in good health;

24 (d) Has satisfied at least one (1) of the following
25 requirements for education and experience:

26 (i) Has sixty-four (64) hours of college work from
27 an accredited institution and has worked in a supervisory capacity
28 in a Mississippi-licensed nursing home for a minimum of two (2)
29 years immediately before making application for the
30 Administrator-in-Training Program established by board rule;

31 (ii) Has an associate degree from an accredited
32 institution and has worked in a supervisory capacity in a
33 Mississippi-licensed nursing home for a minimum of two (2) years
34 immediately before making application for the
35 Administrator-in-Training Program established by board rule;

36 (iii) Has a bachelor's degree in any other field
37 of study from an accredited institution before making application
38 for the Administrator-in-Training Program established by board
39 rule; or

40 (iv) Has a bachelor's degree in health care
41 administration or a health care related field or business from an
42 accredited institution before making application for the
43 Administrator-in-Training Program established by board rule;

44 (e) Has (i) completed a nursing home
45 Administrator-in-Training Program and successfully completed the
46 National Association of Long-Term Care Administrator Board (NAB)
47 examination, or (ii) completed an Administrator-in-Training



48 Program in Long-Term Care Administration from an academic
49 institution during which time the institution held National
50 Association of Long-Term Care Administrator Board (NAB) Program
51 Approval through the academic approval process, to the
52 satisfaction of the board;

53 (f) Has successfully passed the National Association of
54 Long-Term Care Administrator Board (NAB) examination and the
55 Mississippi State Board of Nursing Home Administrators examination
56 to test his or her proficiency and basic knowledge in the area of
57 nursing home administration. The board may establish the
58 frequency of the offering of those examinations and the contents
59 thereof; and

60 (g) Has met all of the requirements established by
61 federal law.

62 (2) The board is authorized to conduct a criminal history
63 records check on applicants for licensure. In order to determine
64 the applicant's suitability for licensing, the applicant shall be
65 fingerprinted. The board shall submit the fingerprints to the
66 Department of Public Safety for a check of the state criminal
67 records and forward to the Federal Bureau of Investigation for a
68 check of the national criminal records. The Department of Public
69 Safety shall disseminate the results of the state check and the
70 national check to the board for a suitability determination. The
71 applicant shall not be charged any of the costs of requesting and



72 obtaining the state and national criminal history records
73 information on the applicant.

74 (* * *3) Reciprocity shall be extended to individuals
75 holding licenses as nursing home administrators in other states,
76 upon proper application and a finding on the part of the board
77 that:

78 (a) The applicant possesses the basic qualifications
79 listed in this chapter and in the rules and regulations adopted
80 under federal law;

81 (b) The applicant has met all of the requirements
82 established by federal law; and

83 (c) The standards for licensure in the other states are
84 at least the substantial equivalent of those in this state,
85 including education and experience, and the applicant has passed
86 both the National Association of Long-Term Care Administrator
87 Board (NAB) and the state exams.

88 The issuance of a license by reciprocity to a
89 military-trained applicant or military spouse shall be subject to
90 the provisions of Section 73-50-1.

91 (* * *4) The board may prescribe appropriate fees for the
92 taking of those examinations and for the issuance of licenses.
93 Those fees shall be not more than the cost of the examinations
94 and * * * Five Hundred Fifty Dollars (\$550.00) for the issuance of
95 a license. However, the fee for an initial license may be
96 prorated in proportion to the period of time from the date of



97 issuance and the date of biennial license renewal prescribed in
98 subsection (* * *5). All licenses issued under this chapter
99 shall be for a maximum period of two (2) years.

100 (* * *5) Except as provided in Section 33-1-39, the board
101 may renew licenses biennially upon the payment of a fee to be
102 established by the board, which shall be not more than * * * Five
103 Hundred Fifty Dollars (\$550.00), plus any administrative costs for
104 late payment.

105 (* * *6) Any person who is not licensed under this chapter
106 on July 1, 2011, who makes application with the board on or before
107 June 30, 2012, may qualify for a license under this chapter
108 provided that on or before January 31, 2014, he or she
109 demonstrates to the satisfaction of the board that he or she (a)
110 meets the eligibility requirements for a nursing home
111 administrator's license prescribed in this section as those
112 requirements existed on June 30, 2011; (b) has successfully
113 completed the Administrator-in-Training Program requirements
114 existing on June 30, 2011; and (c) has paid all required fees for
115 licensure.

116 (* * *7) Current licensure by the Department of Mental
117 Health under Section 41-4-7(r) as a mental health/intellectual
118 disability program administrator shall exempt the licensee from
119 the requirement of licensure as a nursing home administrator if
120 the licensee is employed in the state mental health system as
121 Administrator of Intermediate Care Facility or Facilities for



122 Persons with Intellectual Disabilities (ICF/ID) no larger than
123 sixteen (16) beds.

124 (* * *8) * * * Any member of the Legislature who serves on
125 the Public Health and/or Medicaid Committee who is a licensed
126 nursing home administrator shall be exempt from continuing
127 education requirements for license renewal.

128 **SECTION 2.** This act shall take effect and be in force from
129 and after its passage.

