

## Senate Amendments to House Bill No. 95

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

12           73-17-11. (1) From and after July 1, 2011, in order to be  
13 eligible to be licensed as a nursing home administrator, an  
14 individual must submit evidence satisfactory to the board that he  
15 or she:

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

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

21                   (c) Is in good health;

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

24                           (i) Has sixty-four (64) hours of college work from  
25 an accredited institution and has worked in a supervisory capacity  
26 in a Mississippi-licensed nursing home for a minimum of two (2)

27 years immediately before making application for the  
28 Administrator-in-Training Program established by board rule;

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

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

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

42 (e) Has (i) completed a nursing home  
43 Administrator-in-Training Program and successfully completed the  
44 National Association of Long-Term Care Administrator Board (NAB)  
45 examination, or (ii) completed an Administrator-in-Training  
46 Program in Long-Term Care Administration from an academic  
47 institution during which time the institution held National  
48 Association of Long-Term Care Administrator Board (NAB) Program  
49 Approval through the academic approval process, to the  
50 satisfaction of the board;

51 (f) Has successfully passed the National Association of  
52 Long-Term Care Administrator Board (NAB) examination and the

53 Mississippi State Board of Nursing Home Administrators examination  
54 to test his or her proficiency and basic knowledge in the area of  
55 nursing home administration. The board may establish the  
56 frequency of the offering of those examinations and the contents  
57 thereof; and

58 (g) Has met all of the requirements established by  
59 federal law.

60 (2) The board is authorized to conduct a criminal history  
61 records check on applicants for licensure. In order to determine  
62 the applicant's suitability for licensing, the applicant shall be  
63 fingerprinted. The board shall submit the fingerprints to the  
64 Department of Public Safety for a check of the state criminal  
65 records and forward to the Federal Bureau of Investigation for a  
66 check of the national criminal records. The Department of Public  
67 Safety shall disseminate the results of the state check and the  
68 national check to the board for a suitability determination. The  
69 board may charge and collect from the applicant or licensee, in  
70 addition to all other applicable fees and costs, such amount as  
71 may be incurred by the board in requesting and obtaining state and  
72 national criminal history records information on the applicant or  
73 licensee.

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 and  
94 Five Hundred Dollars (\$500.00) for the issuance of a license.  
95 However, the fee for an initial license may be prorated in  
96 proportion to the period of time from the date of issuance and the  
97 date of biennial license renewal prescribed in subsection (4).  
98 All licenses issued under this chapter shall be for a maximum  
99 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 \* \* \* Six

103 Hundred Dollars (\$600.00), plus any administrative costs for late  
104 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 \* \* \*

125 Any member of the Legislature who serves on the Public Health  
126 and/or Medicaid Committee who is a licensed administrator shall be  
127 exempt from continuous education.

128           **SECTION 2.** This act shall take effect and be in force from  
129 and after July 1, 2021.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO AMEND SECTION 73-17-11, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE STATE BOARD OF NURSING HOME ADMINISTRATORS TO  
3 CONDUCT CRIMINAL HISTORY RECORDS CHECKS ON APPLICANTS FOR  
4 LICENSURE; TO AUTHORIZE THE BOARD TO CHARGE AND COLLECT FROM THE  
5 APPLICANT ANY FEES OR COSTS INCURRED BY THE BOARD IN OBTAINING  
6 THAT INFORMATION; TO DELETE THE DATE OF THE REPEALER ON THE  
7 LICENSURE REQUIREMENTS FOR NURSING HOME ADMINISTRATORS; AND FOR  
8 RELATED PURPOSES.

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Eugene S. Clarke  
Secretary of the Senate