

1 **SENATE FLOOR VERSION**

2 February 25, 2019

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 383

6 By: Bergstrom

7 An Act relating to nursing home administrators;
8 amending 63 O.S. 2011, Section 330.53, as amended by
9 Section 1, Chapter 241, O.S.L. 2016 (63 O.S. Supp.
10 2018, Section 330.53), which relates to
11 qualifications for license or certification;
12 requiring applicants to submit to national criminal
13 history record check; recognizing certain credential;
14 amending 63 O.S. 2011, Section 330.54, which relates
15 to license fees; modifying licensure period; and
16 providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 63 O.S. 2011, Section 330.53, as
19 amended by Section 1, Chapter 241, O.S.L. 2016 (63 O.S. Supp. 2018,
20 Section 330.53), is amended to read as follows:

21 Section 330.53. A. The Oklahoma State Board of Examiners for
22 Long-Term Care Administrators shall have authority to issue licenses
23 or certifications to qualified persons as long-term care
24 administrators, and shall establish qualification criteria for each
25 type of long-term care administrator.

26 B. No license or certification shall be issued to a person as a
27 long-term care administrator unless:

1 1. The person shall have submitted evidence satisfactory to the
2 Board that the person ~~is~~:

3 a. is not less than twenty-one (21) years of age, ~~and~~

4 b. is of reputable and responsible character~~+~~, and

5 c. has submitted to a national criminal history record
6 check as defined in Section 150.9 of Title 74 of the
7 Oklahoma Statutes. The costs associated with the
8 national criminal history record check shall be paid
9 by the applicant; and

10 2. The person shall have submitted evidence satisfactory to the
11 Board of the person's ability to supervise the defined facility type
12 in which he or she is licensed or certified to serve as a long-term
13 care administrator.

14 C. All persons currently licensed or certified or lawfully
15 serving as an administrator in their defined facility type shall be
16 permitted to continue to serve in their current capacity under their
17 current terms of authorization. The Board may promulgate rules
18 pursuant to Section 330.57 of this title to address future
19 certification and licensure requirements for all long-term care
20 administrator types without effect on the licensure or certification
21 status of those currently certified or licensed. The Board shall
22 not include a requirement for a four-year degree in any future
23 licensing or certification requirements for assisted living,
24 residential care or adult day care administrators. Until such rules

1 are promulgated, current licensure and certification processes and
2 standards shall remain in place.

3 D. The Oklahoma State Board of Examiners for Long-Term Care
4 Administrators shall, on or before July 1, 2017, promulgate rules
5 permitting eligible applicants to sit for the state standards
6 examination at a testing facility using procedures approved by the
7 National Association of Long-Term Care Administrator Board,
8 including but not limited to the use of electronic or online methods
9 for examination. The Board shall recognize the Health Services
10 Executive qualification from the National Association of Long-Term
11 Care Administrators Board as an acceptable standard of eligibility
12 for licensure.

13 E. The Oklahoma State Board of Examiners for Long-Term Care
14 Administrators shall promulgate rules to implement the provisions of
15 this section.

16 SECTION 2. AMENDATORY 63 O.S. 2011, Section 330.54, is
17 amended to read as follows:

18 Section 330.54. Each person licensed or certified as a long-
19 term care administrator pursuant to the provisions of Section 330.53
20 of this title shall be required to pay ~~an annual~~ a license or
21 certification renewal fee which shall be deposited in the Oklahoma
22 State Board of Examiners for Long-Term Care Administrators Revolving
23 Fund. Such fee shall be determined by the Oklahoma State Board of
24 Examiners for Long-Term Care Administrators. Each such renewed

1 license or certification shall expire on the 31st day of December of
2 the next odd-numbered year following its ~~issuance~~ renewal, and shall
3 be renewable for ~~a calendar year~~ two (2) calendar years, upon
4 meeting the renewal requirements and upon payment of the ~~annual~~
5 ~~license renewal~~ fee. Licenses and certifications initially issued
6 and effective in even-numbered years shall expire on the 31st day of
7 December of the calendar year issued and effective, and the first
8 renewal of such licenses and certifications shall be for one
9 calendar year to align with the odd-numbered year renewals of all
10 other licensees and certificate holders.

11 SECTION 3. This act shall become effective in accordance with
12 the provisions of Section 58 of Article V of the Oklahoma
13 Constitution.

14 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
15 February 25, 2019 - DO PASS AS AMENDED
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