

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 371

By: Garvin

AS INTRODUCED

An Act relating to long-term care; amending 63 O.S. 2021, Section 330.53, which relates to qualifications for license or certification of long-term care administrators; broadening types of administrators exempt from certain requirement; providing that certain experience shall substitute for certain degree; requiring Oklahoma State Board of Examiners for Long-Term Care Administrators to grant assistant administrator certification to applicants who meet certain criteria; providing for full licensure of certified assistant administrators; requiring Board to grant provisional licensure to applicants who meet certain criteria; granting provisional licensee certain rights; providing for licensure by endorsement; providing for revocation of provisional license; requiring Board to approve organizations or agencies for certain training program; stating requirements for training programs; authorizing Board to provide training program under certain conditions; requiring Board to ensure availability of at least one training program as alternative to Board program; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 330.53, is amended to read as follows:

Section 330.53. A. The Oklahoma State Board of Examiners for Long-Term Care Administrators shall have authority to issue licenses

1 or certifications to qualified persons as long-term care
2 administrators, and shall establish qualification criteria for each
3 type of long-term care administrator.

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

6 1. The person shall have submitted evidence satisfactory to the
7 Board that the person is:

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

9 b. of reputable and responsible character; 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. 1. 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 administrators, residential care ~~or~~ administrators, adult day care

1 administrators, or certified assistant administrators. Until such
2 rules are promulgated, current licensure and certification processes
3 and standards shall remain in place.

4 2. For licensure or certification of nursing facility
5 administrators, two (2) years of experience as a certified assistant
6 administrator of, or three (3) years of management experience at, a
7 nursing facility, assisted living center, residential care home, or
8 adult day care center shall substitute for requirement of completion
9 of a four-year degree, provided the licensee meets all other
10 requirements in state law or in rules of the Board.

11 D. The Oklahoma State Board of Examiners for Long-Term Care
12 Administrators shall, on or before July 1, 2017, promulgate rules
13 permitting eligible applicants to sit for the state standards
14 examination at a testing facility using procedures approved by the
15 National Association of Long-Term Care Administrator Board,
16 including but not limited to the use of electronic or online methods
17 for examination.

18 E. 1. The Oklahoma State Board of Examiners for Long-Term Care
19 Administrators shall grant assistant administrator certification to
20 any applicant who:

- 21 a. has obtained a high school diploma, and
 - 22 b. has passed the state standards examination.
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1 2. The Board shall grant full licensure as a long-term care
2 administrator to any applicant currently certified as an assistant
3 administrator who:

4 a. has completed the required coursework offered by the
5 Board,

6 b. has completed a training program approved by the
7 Board, and

8 c. meets all other qualifications for licensure of long-
9 term care administrators.

10 F. 1. The Oklahoma State Board of Examiners for Long-Term Care
11 Administrators shall grant a provisional license within ten (10)
12 days of receiving the application to any applicant who:

13 a. is licensed as a long-term care administrator in
14 another state,

15 b. has passed a nationally recognized examination for
16 long-term care administrators, and

17 c. has been recently hired or offered a position as a
18 long-term care administrator at a facility licensed by
19 the State Department of Health.

20 2. A provisional licensee shall have all the same rights as a
21 long-term care administrator licensed by the Board.

22 3. Upon issuance of a provisional license, the Board shall
23 determine if the provisional licensee meets the criteria for
24 licensure by endorsement as provided by rules of the Board. If the

1 provisional licensee meets the qualification criteria for full
2 licensure, the Board shall grant a full long-term care facility
3 administrator license to the provisional licensee not later than
4 thirty (30) days after issuance of the provisional license and shall
5 revoke the provisional license upon issuance of the full license.
6 If the Board determines the provisional licensee does not meet
7 qualification criteria for full licensure, the Board shall revoke
8 the provisional license.

9 G. 1. The Oklahoma State Board of Examiners for Long-Term Care
10 Administrators shall approve one or more organizations or agencies
11 to provide the training program required by the Board. Each such
12 organization or agency shall meet such requirements as may be
13 prescribed by rules of the Board, and the curriculum required by the
14 organization or agency shall not exceed the curriculum required by
15 the Board.

16 2. In addition to such approved organizations or agencies, the
17 Board may offer the training program; provided, that the curriculum
18 of the training program offered by the Board shall meet the same
19 requirements as those imposed by the Board on training programs
20 provided by other organizations and agencies, and the curriculum of
21 the training program offered by the Board shall not exceed
22 curriculum requirements imposed by the Board on training programs
23 provided by other organizations and agencies.

1 3. The Board shall ensure that at all times there is at least
2 one training program offered by an organization or agency as an
3 alternative to the training program offered by the Board.

4 H. The Oklahoma State Board of Examiners for Long-Term Care
5 Administrators shall promulgate rules to implement the provisions of
6 this section.

7 SECTION 2. This act shall become effective November 1, 2023.

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