

Introduced: 4/5/79  
Referred: Finance

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 HOUSE BILL NO. 447

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act terminating the existence of the Board of  
7 Nursing Home Administrators on January 1, 1981 and re-  
8 assigning its responsibilities to the Department of  
9 Commerce and Economic Development; and providing for an  
10 effective date."

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

12 \* Section 1. TERMINATION OF BOARD OF NURSING HOME ADMINISTRATORS. Not-  
13 withstanding the provisions of AS 08.03.010, the Board of Nursing Home  
14 Administrators will continue in existence until January 1, 1981, and after  
15 that date the Department of Commerce and Economic Development will have  
16 jurisdiction over the licensing of nursing home administrators under the  
17 provisions of AS 08.70.005 - 08.70.190. During the period until January 1,  
18 1981, the members of the board will facilitate the orderly transfer of func-  
19 tions and responsibilities of the board to the department. Nothing in this  
20 Act or AS 08.03.010 reduces or limits the authority of the board under  
21 AS 08.70.010 - 08.70.190 before January 1, 1981.

22 \* Sec. 2. AS 08.01.010 is amended by adding a new subsection to read:

23 (b) This chapter applies to the responsibilities of the department  
24 over licensing and regulation of nursing home administrators (AS 08.70.-  
25 005).

26 \* Sec. 3. AS 08.01.050(b) is amended to read:

27 (b) The form and content of a license [,] authorized under AS 08  
28 [BY A BOARD LISTED IN AS 08.01.010], including any document evidencing  
29 renewal of a license, shall be determined by the department after con-

1           Sec. 08.70.070. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.  
2           The department [BOARD] shall comply with the Administrative Procedure  
3           Act (AS 44.62).

4           \* Sec. 7. AS 08.70.080 is amended to read:

5           Sec. 08.70.080. LICENSE REQUIRED. Only a licensed nursing home  
6           administrator may manage, supervise, or be generally in charge of a  
7           nursing home unless excepted by this chapter. Only a nursing home which  
8           is supervised by a licensed nursing home administrator may operate in  
9           Alaska unless specially excepted by the department [BOARD]. This sec-  
10          tion does not apply to the Alaska Pioneers' Homes.

11          \* Sec. 8. AS 08.70.110 is amended to read:

12          Sec. 08.70.110. LICENSING. (a) The department [BOARD] shall  
13          license

14                 (1) applicants who pass the written examination administered  
15                 by the department [BOARD] and meet the standards established by the  
16                 department [BOARD] under AS 08.70.050;

17                 (2) persons licensed under emergency regulations 7AAC 12.045  
18                 promulgated in Register 51, July 8, 1974, who have practiced as adminis-  
19                 trators since licensing.

20                 (b) The department [BOARD] may issue a license without examination  
21                 to a person holding a current license as a nursing home administrator  
22                 from another jurisdiction, if the department [BOARD] finds that the  
23                 standards for licensing in the other jurisdiction are substantially  
24                 equivalent to those in this state, and the person is otherwise quali-  
25                 fied.

26          \* Sec. 9. AS 08.70.120 is amended to read:

27          Sec. 08.70.120. EXAMINATION. The purpose of the examination is to  
28          test the applicant's knowledge of the health and safety standards of the  
29          state and his experience in the practice of health care. The department

1 [BOARD] determines the content, scope, format, and grading procedure.  
2 Examinations shall be given at least annually, at the time and place  
3 chosen by the department [BOARD].

4 \* Sec. 10. AS 08.70.130(a) is amended to read:

5 (a) A provisional license may be granted without examination to a  
6 person who meets the standards adopted by the department [BOARD] under  
7 AS 08.70.050 and who is needed to fill a vacancy in an administrative  
8 position.

9 \* Sec. 11. AS 08.70.140(b) is amended to read:

10 (b) An administrator may apply for renewal of his license by  
11 submitting an application for renewal to the department [BOARD]; appli-  
12 cation forms for renewal are provided by the department.

13 \* Sec. 12. AS 08.70.180(3) and (4) are amended to read:

14 (3) "license" means the certificate awarded by the department  
15 [BOARD] to a qualified person which entitles him to be a nursing home  
16 administrator in this state;

17 (4) "licensee" means a person who has been granted a license  
18 to be a nursing home administrator in this state by the department  
19 [BOARD];

20 \* Sec. 13. REPEALER. AS 08.03.010(a)(10), AS 08.70.010 - 08.70.040,  
21 08.70.050(a)(5) 08.70.060, and 08.70.180(1) are repealed.

22 \* Sec. 14. EFFECTIVE DATE. Section 1 of this Act takes effect immedi-  
23 ately in accordance with AS 01.10.070(c). Sections 2 - 13 of this Act take  
24 effect January 1, 1981.

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