

**HB**

**124**

# FISCAL NOTE

**STATE OF ALASKA**  
**1995 LEGISLATIVE SESSION**

**BILL NO. HB 124**

Revision Date: February 6, 1995 Department: Commerce and Economic Development  
 Title: Extending the termination date of the BRU: Occupational Licensing  
Board of Nursing Home Administrators;.... Component: Operations  
 Sponsor: Representative Toohey  
 Requestor: Representative Toohey COMPONENT SERIAL #: 1844

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	5.7	5.7	5.7	5.7	5.7	5.7
TRAVEL	1.0	1.3	1.3	1.3	1.3	1.3
CONTRACTUAL	2.5	2.5	2.5	2.5	2.5	2.5
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>9.2</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES</b>	1.9	17.2	1.9	17.2	1.9	17.2
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**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts	9.2	9.5	9.5	9.5	9.5	9.5
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>9.2</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>

Estimate of any current year (FY 95) cost: \$ 0.0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

HB 124 extends the termination date of the Board of Nursing Home Administrators to June 30, 2005. The expenditures shown above are included in the FY 96 operating budget request and the revenue identified are reflected in revenue projections. The board is in its final year of existence unless legislation is passed to continue the board.

Prepared by: Jennifer Strickler, Admin. Officer Phone: 465-2144  
 Division: Occupational Licensing Date: 2/6/95  
 Approved by Commissioner: William L. Hensley Date: 2/6/95  
 Agency: Commerce and Economic Development

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HOUSE COMMITTEE REPORT

(7)

Date Referred: January 25, 1995

FURTHER REFERRALS:

Date of Committee Action: 3/2/95

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 124

HOUSE BILL NO. 124

EXTEND BOARD OF NURSING HOME ADMINISTRATORS

"An Act extending the termination date of the Board of Nursing Home Administrators; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 124 (HES)  the same title  a new title

additional referral to Finance Committee  
 attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): \_\_\_\_\_ (Dept)

APPROVES PREVIOUS: \_\_\_\_\_ (D:pt/Date)

fiscal note(s) CED

fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>Allen Robinson</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>		✓		

CHAIR'S SIGNATURE *[Signature]*

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CSHB 124

Revision Date: February 22, 1995 Department: Commerce and Economic Development  
 Title: Extending the termination date of the BRU: Occupational Licensing  
 Board of Nursing Home Administrators;... Component: Operations  
 Sponsor: Representative Toohey  
 Requestor: Representative Toohey COMPONENT SERIAL #: 1844

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	5.7	5.7	5.7	5.7	5.7	5.7
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	2.5	2.5	2.5	2.5	2.5	2.5
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>8.2</b>	<b>8.2</b>	<b>8.2</b>	<b>8.2</b>	<b>8.2</b>	<b>8.2</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES	1.9	14.5	1.9	14.5	1.9	14.5
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts	8.2	8.2	8.2	8.2	8.2	8.2
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>8.2</b>	<b>8.2</b>	<b>8.2</b>	<b>8.2</b>	<b>8.2</b>	<b>8.2</b>

Estimate of any current year (FY 95) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

CSHB 124 proposes to eliminate the Board of Nursing Home Administrators and continue licensing by the department. Travel funds which allowed the board to meet have been eliminated. Licenses are presently due to expire on December 31, 1996; therefore, the revenue identified in the fiscal note assume that fees will be adjusted in FY 97 to equal costs.

Prepared by: Jennifer Strickler, Admin. Officer Phone: 465-2144  
 Division: Occupational Licensing Date: 2/22/95  
 Approved by Commissioner: William L. Mansley Date: 3/3/95  
 Agency: Commerce and Economic Development

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9-LS0491C ✓  
Lauterbach  
2/16/95

**CS FOR HOUSE BILL NO. 124(HES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**NINETEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Offered:  
Referred:**

**Sponsors: REPRESENTATIVE TOOHEY**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act transferring the regulation of nursing home administrators to the Department  
2 of Commerce and Economic Development; abolishing the Board of Nursing Home  
3 Administrators; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* **Section 1.** AS 08.01.010 is amended by adding a new paragraph to read:

6 (36) regulation of nursing home administrators under AS 08.70.

7 \* **Sec. 2.** AS 08.01.050(a) is amended to read:

8 (a) The department shall perform the following administrative and budgetary  
9 services when appropriate:

10 (1) collect and record fees;

11 (2) maintain records and files;

12 (3) issue and receive application forms;

13 (4) notify applicants of acceptance or rejection as determined by the board  
14 or as determined by the department under AS 08.06 for acupuncturists, under AS 08.11

1 for audiologists, under AS 08.18 for contractors, under AS 08.40 for electrical and  
2 mechanical administrators, under AS 08.45 for naturopaths. [OR] under AS 08.55 for  
3 hearing aid dealers, or under AS 08.70 for nursing home administrators:

4 (5) designate dates examinations are to be held and notify applicants;

5 (6) publish notice of examinations and proceedings;

6 (7) arrange space for holding examinations and proceedings;

7 (8) notify applicants of results of examinations;

8 (9) issue licenses or temporary licenses as authorized by the board or as  
9 authorized by the department under AS 08.06 for acupuncturists, under AS 08.11 for  
10 audiologists, under AS 08.18 for contractors, under AS 08.40 for electrical and  
11 mechanical administrators, under AS 08.45 for naturopaths. [OR] under AS 08.55 for  
12 hearing aid dealers, or under AS 08.70 for nursing home administrators:

13 (10) issue duplicate licenses upon submission of a written request by the  
14 licensee attesting to loss of or the failure to receive the original and payment by the  
15 licensee of a fee established by regulation adopted by the department:

16 (11) notify licensees of renewal dates at least 30 days before the  
17 expiration date of their licenses;

18 (12) compile and maintain a current register of licensees;

19 (13) answer routine inquiries;

20 (14) maintain files relating to individual licensees;

21 (15) arrange for printing and advertising;

22 (16) purchase supplies;

23 (17) employ additional help when needed;

24 (18) perform other services that may be requested by the board;

25 (19) provide inspection, enforcement, and investigative services to the  
26 boards and for the occupations listed in AS 08.01.010, regarding all licenses issued by  
27 or through the department:

28 (20) retain and safeguard the official seal of a board and prepare, sign,  
29 and affix a board seal, as appropriate, for licenses approved by a board;

30 (21) issue business licenses under AS 43.70.

31 \* Sec. 3. AS 08.70.050 is amended to read:

1           Sec. 08.70.050. REGULATION BY DEPARTMENT [DUTIES AND  
2 POWERS OF THE BOARD]. (a) The department [BOARD] shall

3                   (1) adopt standards for licensing nursing home administrators to ensure  
4 [INSURE] that licensees have knowledge and experience in health care and institutional  
5 administration necessary for competent administrators, and update the standards when  
6 necessary:

7                   (2) examine, approve issuance of licenses to, and renewal of licenses of  
8 qualified persons:

9                   (3) establish procedures to ensure that licensees continue to uphold the  
10 department's [BOARD'S] standards; impose disciplinary sanctions upon persons who  
11 fail to uphold the standards:

12                   (4) adopt criteria for educational programs for persons preparing for the  
13 licensing examination and for the continuing education of licensees; review the  
14 educational programs available in the state and accredit the programs meeting the criteria:

15                   (5) KEEP A RECORD OF ITS PROCEEDINGS AND SUBMIT  
16 ANNUAL REPORTS TO THE GOVERNOR AND THE LEGISLATURE:

17                   (6) adopt regulations ensuring that renewal of a license is contingent  
18 upon proof of continued competency by the licensee.

19           (b) The department [BOARD] may adopt regulations necessary for the  
20 performance of its duties and to meet the requirements of Title 19 of the Social Security  
21 Act, the federal regulations adopted under it, and other federal requirements.

22 \* Sec. 4. AS 08.70.110 is amended to read:

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

24                   (1) applicants who pass the written examination administered by the  
25 department [BOARD] and meet the standards established by the department [BOARD]  
26 under AS 08.70.050:

27                   (2) persons licensed under emergency regulations 7 AAC 12.045  
28 promulgated in Register 51, July 8, 1974, who have practiced as administrators since  
29 licensing.

30           (b) The department [BOARD] may issue a license without examination to a  
31 person holding a current license as a nursing home administrator from another

1 jurisdiction, if the department [BOARD] finds that the standards for licensing in the  
2 other jurisdiction are substantially equivalent to those in this state, and the person is  
3 otherwise qualified.

4 \* Sec. 5. AS 08.70.120 is amended to read:

5 Sec. 08.70.120. EXAMINATION. The purpose of the examination is to test the  
6 applicant's knowledge of the health and safety standards of the state and the applicant's  
7 experience in the practice of health care. The department shall determine [BOARD  
8 DETERMINES] the content, scope, format, and grading procedure. Examinations shall  
9 be given at least annually, at the time and place chosen by the department [BOARD].

10 \* Sec. 6. AS 08.70.130(a) is amended to read:

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

14 \* Sec. 7. AS 08.70.155 is amended to read:

15 Sec. 08.70.155. GROUNDS FOR IMPOSITION OF DISCIPLINARY  
16 SANCTIONS. The department [AFTER A HEARING THE BOARD] may impose the  
17 disciplinary sanctions authorized for boards under AS 08.01.075 or otherwise  
18 authorized for the department under AS 08.01 when it finds that a licensee

19 (1) secured a license through deceit, fraud, or intentional  
20 misrepresentation:

21 (2) engaged in deceit, fraud, or intentional misrepresentation in the course  
22 of providing professional services or engaging in professional activities:

23 (3) advertised professional services in a false or misleading manner:

24 (4) intentionally or negligently engaged in or permitted the performance  
25 of patient care by persons under the licensee's supervision that [WHICH] does not  
26 conform to minimum professional standards regardless of whether actual injury to the  
27 patient occurred:

28 (5) failed to comply with this chapter, with a regulation adopted under  
29 this chapter, or with an order of the department [BOARD]:

30 (6) continued to practice after becoming unfit due to

31 (A) professional incompetence:

1 (B) addiction or severe dependency on alcohol or other drugs that  
2 [WHICH] impairs the licensee's ability to practice safely:

3 (C) physical or mental disability:

4 (7) sold or furnished a license to another;

5 (8) practiced as a nursing home administrator or used a designation  
6 tending to imply that the licensee is a nursing home administrator without a license issued  
7 under this chapter unless exempted from licensure requirements under AS 08.70.080.

8 \* Sec. 8. AS 08.70.180(3) is amended to read:

9 (3) "license" means the certificate awarded by the department [BOARD]  
10 to a qualified person that [WHICH] entitles the person to be a nursing home  
11 administrator in this state:

12 \* Sec. 9. AS 08.70.180(4) is amended to read:

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

15 \* Sec. 10. AS 44.62.330(a)(50) is amended to read:

16 (50) Department of Commerce and Economic Development  
17 concerning the licensing and regulation of nursing home administrators [BOARD  
18 OF NURSING HOME ADMINISTRATORS];

19 \* Sec. 11. AS 08.01.010(18); AS 08.03.010(c)(18); AS 08.70.010, 08.70.020, 08.70.030,  
20 08.70.040, 08.70.055, and 08.70.180(1) are repealed.

21 \* Sec. 12. TRANSITION. (a) A regulation adopted by the Board of Nursing Home  
22 Administrators and in effect on the effective date of this Act remains in effect and shall be  
23 implemented and enforced by the Department of Commerce and Economic Development after  
24 the effective date of this Act until the department amends the regulation. To be consistent with  
25 the changes made by this Act, wherever in the regulations adopted by the Board of Nursing  
26 Home Administrators the board is identified, that reference shall be read as referring to the  
27 Department of Commerce and Economic Development. Under AS 44.62.125(b)(6), the  
28 regulations attorney shall implement this subsection in the administrative regulations.

29 (b) All litigation, hearings, investigations, and other proceedings pending under a law  
30 amended or repealed by this Act, or in connection with functions transferred by this Act,  
31 continue in effect and may be continued and completed notwithstanding a transfer or amendment

1 or repeal provided for in this Act. Licenses and orders issued under authority of a law amended  
2 or repealed by this Act remain in effect for the term issued, or until revoked, vacated, or  
3 otherwise modified under the provisions of this Act. All contracts, rights, liabilities, and  
4 obligations created by or under a law amended or repealed by this Act, and in effect on the  
5 effective date of this Act remain in effect notwithstanding this Act's taking effect. Records,  
6 equipment, and other property of the Board of Nursing Home Administrators are transferred to  
7 the Department of Commerce and Economic Development.

8 \* Sec. 13. This Act takes effect immediately under AS 01.10.070(c).



Official Business

# Alaska State Legislature

REPRESENTATIVE CYNTHIA TOOHEY

State Capitol  
Juneau, AK 99801-1182

DISTRICT 13

## SPONSOR STATEMENT

*HESS Committee Substitute for House Bill 124: "An act transferring the regulation of nursing home administrators to the Department of Commerce & Economic Development; abolishing the Board of Nursing Home Administrators; and providing for an effective date."*

This bill eliminates the State Board of Nursing Home Administrators and transfers its legal duties to license and regulate to the Division of Occupational Licensing in the Department of Commerce. The Board is mere months from ceasing to exist legally, having passed its 'sunset date' on the 30th of June last year. At the request of the State Hospital & Nursing Home Association, I introduced HB 124 to extend the life of the Board of Nursing Home Administrators for ten more years, but the Association have since decided that they would prefer to be regulated by the Division of Occupational Licensing. The State is required by federal regulations to license persons who administer nursing homes as a condition for the receipt of Medicaid funds. Since 1975 this licensing function has been the duty of the Board of Nursing Home Administrators. It is possible, and administratively easier and less expensive, for staff at the Division of Occupational Licensing to meet federal regulatory requirements for nursing home administrators. The State Hospital & Nursing Home Association, the Division of Medical Assistance, and the Division of Occupational Licensing support transferring supervision of nursing home administrators to the Department of Commerce.

Please support the HESS CS for HB 124.



Official Business

# Alaska State Legislature

REPRESENTATIVE CYNTHIA TOOHEY

State Capitol  
Juneau, AK 99801-1182

DISTRICT 13

## MEMORANDUM.

**TO:** Representative Toohey  
**FROM:** Benjamin Brown, <sup>REF.</sup> Legislative Aide  
**IN RE:** sectional analysis of CSHB 124 (HESS)  
**DATE:** 1 March 1995

A summary, by section, of the proposed HESS Committee Substitute for House Bill 124 follows. It ought to be noted that a sectional summary of a bill is not to be considered generally as an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

**Section 1** adds nursing home administrators to the list of professions to whom Chapter 1 of Title 8 of Alaska Statutes ('Centralized Licensing') applies.

**Section 2** is a technical amendment that recognizes that the Board of Nursing Home Administrators is no longer involved in licensing and regulation.

**Section 3** transfers the duties and powers of the Board of Nursing Home Administrators to the Department of Commerce, and changes references to the Board in Section 050 of Chapter 70 of Title 8 so they refer instead to the Department.

**Section 4** transfers the legal licensing authority of the Board of Nursing Home Administrators to the Department of Commerce, and changes references to the Board in Section 110 of Chapter 70 of Title 8 so they refer instead to the Department.

INTERIM ADDRESS: 716 West 4th Avenue, Suite 330,

SECTIONAL ANALYSIS

**MEMORANDUM IN RE:** sectional analysis of HB 124

*1 March '95, page two*

**Section 5** transfers legal authority to give examinations to applicants for license as nursing home administrators from the Board of Nursing Home Administrators to the Department of Commerce, and changes references to the Board in Section 120 of Chapter 70 of Title 8 so they refer instead to the Department.

**Section 6** transfers legal authority to issue provisional licenses to nursing home administrators from the Board of Nursing Home Administrators to the Department of Commerce, and changes references to the Board in Section 130 of Chapter 70 of Title 8 so they refer instead to the Department.

**Section 7** transfers legal authority to impose disciplinary sanctions on certain nursing home administrators from the Board of Nursing Home Administrators to the Department of Commerce, and changes references to the Board in Section 155 of Chapter 70 of Title 8 so they refer instead to the Department.

**Sections 8 and 9** change references to the Board of Nursing Home Administrators in the definitions of "license" and "licensee," respectively, in Section 180 of Chapter 70 of Title 8 so they refer instead to the Department of Commerce.

**Section 10** substitutes the Department of Commerce's activity in licensing and regulating nursing home administrators, for the entity of the Board of Nursing Home Administrators, in the list of boards, commission, and officers to whom the administrative adjudication provisions of the Administrative Procedures Act (AS 44.62.330 - 44.62.630) apply.

**Section 11** repeals sections or subsections of Title 8 that establish, govern, apply to, or otherwise refer to the Board of Nursing Home Administrators, effectively eliminating the Board.

**Section 12** continues in effect all regulations of the Board of Nursing Home Administrators and allows regulatory references to the Board to be considered as references to the Department of Commerce instead; allows continuance of litigation, hearings, investigations, licenses, contract, rights, liabilities, and obligations existing under laws amended or repealed by the bill; and, transfers the records, equipment, and other property of the Board to the Department.

**Section 13** provides for an immediate effective date.

eligibility determination for Medicaid) or immediately thereafter (e.g., at the time of notice of eligibility).

(2) The agency, no less frequently than annually, must also provide written notice of the availability of WIC benefits, including the location and telephone number of the local WIC agency or instructions for obtaining further information about the WIC program, to all Medicaid recipients (including those found to be presumptively eligible) who are under age 5 or who are women who might be pregnant, postpartum, or breastfeeding as described in paragraphs (c)(2) (i) through (iv) of this section.

(3) The agency must effectively inform those individuals who are blind or deaf or who cannot read or understand the English language.

[57 FR 23103, June 24, 1992]

#### Subpart N—State Programs for Licensing Nursing Home Administrators

##### §431.700 Basis and purpose.

This subpart implements sections 1903(a)(29) and 1908 of the Act which require that the State plan include a State program for licensing nursing home administrators.

##### §431.701 Definitions.

Unless otherwise indicated, the following definitions apply for purposes of this subpart:

*Agency* means the State agency responsible for licensing individual practitioners under the State's healing arts licensing act.

*Board* means an appointed State board established to carry out a State program for licensing administrators of nursing homes, in a State that does not have a healing arts licensing act or an agency as defined in this section.

*Licensed* means certified by a State agency or board as meeting all of the requirements for a licensed nursing home administrator specified in this subpart.

*Nursing home* means any institution, facility, or distinct part of a hospital that is licensed or formally recognized as meeting nursing home standards established under State law, or that is

determined under §431.704 to be included under the requirements of this subpart. The term does not include—

(a) A Christian Science sanatorium operated, or listed and certified, by the First Church of Christ, Scientist, Boston, Mass.; or

(b) A distinct part of a hospital, if the hospital meets the definition in §440.10 or §440.140 of this subchapter, and the distinct part is not licensed separately or formally approved as a nursing home by the State even though it is designated or certified as a skilled nursing facility.

*Nursing home administrator* means any person who is in charge of the general administration of a nursing home whether or not the person—

(a) Has an ownership interest in the home; or

(b) Shares his functions and duties with one or more other persons.

##### §431.702 State plan requirement.

A State plan must provide that the State has a program for licensing administrators of nursing homes that meets the requirements of §§431.703 through 431.705 of this subpart.

##### §431.703 Licensing requirement.

The State licensing program must provide that only nursing homes supervised by an administrator licensed in accordance with the requirements of this subpart may operate in the State.

##### §431.704 Nursing homes designated by other terms.

If a State licensing law does not use the term "nursing home," the HCFA Administrator will determine the term or terms equivalent to "nursing home" for purposes of applying the requirements of this subpart. To obtain this determination, the Medicaid agency must submit to the Regional Medicaid Director copies of current State laws that define institutional health care facilities for licensing purposes.

##### §431.705 Licensing authority.

(a) The State licensing program must provide for licensing of nursing home administrators by—

(1) The agency designated under the healing arts act of the State; or

(2) A State licensing board.

(b) The State agency or board must perform the functions and duties specified in §§ 431.707 through 431.713 and the board must meet the membership requirements specified in § 431.706 of this subpart.

#### § 431.706 Composition of licensing board.

(a) The board must be composed of persons representing professions and institutions concerned with the care and treatment of chronically ill or infirm elderly patients. However—

(1) A majority of the board members may not be representative of a single profession or category of institution; and

(2) Members not representative of institutions may not have a direct financial interest in any nursing home.

(b) For purposes of this section, nursing home administrators are considered representatives of institutions.

#### § 431.707 Standards.

(a) The agency or board must develop, impose, and enforce standards that must be met by individuals in order to be licensed as a nursing home administrator.

(b) The standards must be designed to insure that nursing home administrators are—

- (1) Of good character;
- (2) Otherwise suitable; and
- (3) Qualified to serve because of training or experience in institutional administration.

#### § 431.708 Procedures for applying standards.

The agency or board must develop and apply appropriate procedures and techniques, including examinations and investigations, for determining if a person meets the licensing standards.

#### § 431.709 Issuance and revocation of license.

Except as provided in § 431.714 of this subpart, the agency or board must—

(a) Issue licenses to persons who meet the agency's or board's standards; and

(b) Revoke or suspend a license if the agency or board determines that the person holding the license substantially fails to meet the standards.

#### § 431.710 Provisional licenses.

To fill a position of nursing home administrator that unexpectedly becomes vacant, the agency or board may issue one provisional license, for a single period not to exceed 6 months. The license may be issued to a person who does not meet all of the licensing requirements established under § 431.707 but who—

(a) Is of good character and otherwise suitable; and

(b) Meets any other standards established for provisional licensure by the agency or board.

#### § 431.711 Compliance with standards.

The agency or board must establish and carry out procedures to insure that licensed administrators comply with the standards in this subpart when they serve as nursing home administrators.

#### § 431.712 Failure to comply with standards.

The agency or board must investigate and act on all complaints it receives of violations of standards.

#### § 431.713 Continuing study and investigation.

The agency or board must conduct a continuing study of nursing homes and administrators within the State to improve—

- (a) Licensing standards; and
- (b) The procedures and methods for enforcing the standards.

#### § 431.714 Waivers.

The agency or board may waive any standards developed under § 431.707 of this subpart for any person who has served in the capacity of a nursing home administrator during all of the 3 calendar years immediately preceding the calendar year in which the State first meets the requirements in this subpart.

#### § 431.715 Federal financial participation.

No FFP is available in expenditures by the licensing board for establishing and maintaining standards for the licensing of nursing home administrators.

ALASKA STATE

# HOSPITAL & NURSING HOME

ASSOCIATION

February 16, 1995

Representative Cythia Toohey, Co-Chair  
Health, Education & Social Services Committee  
House of Representative  
Alaska State Legislature  
Juneau, AK 99801

Re: Support, CSHE 124  
Nursing Home Administrator Board

Dear Representative Toohey:

A sincere thank you for having HB 124 introduced. Also a very sincere apology that we did not have our "act" together on the need for the nursing home board when we requested your help in repealing the sunset for the board and extending its life for another 10 years.

The state must license nursing home administrators to remain eligible to participate in the Medicaid program. The Division of Occupational Licensing may administer that function along with the handling of disciplinary proceedings.

Having a board is an option. Nursing home administrators met here in Juneau last week and decided the board really wasn't necessary to provide the license exam and/or safeguard the public, therefore we would support elimination of the Nursing Home Administrators Board.

Thank you for your patience and your leadership on this issue.

Sincerely,



Harlan R. Knudson  
President/CEO

SUPPORT



# Alaska State Legislature

House of Representatives  
 COMMITTEE ON HEALTH, EDUCATION  
 AND SOCIAL SERVICES

DATE: MARCH 2, 1995

PLACE: Capitol Room 106

SUBJECT OF MEETING:  
 HB 124: EXTEND BOARD  
 OF NURSING HOME Admin.

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
NANCY WEIGER	DIV. MED ASSIST	PO Box 0660	99811		5-5824	Y	N	X
HAALAN KNUDSON	ASHNIFA	319 Seward St	99801		6-1796	<input checked="" type="radio"/>	N	HB 124
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	