

# HOUSE BILL REPORT

## SHB 1258

---

*As Amended by the Senate*

**Title:** An act relating to nursing home administration.

**Brief Description:** Changing provisions relating to nursing home administration.

**Sponsor(s):** By House Committee on Health Care (originally sponsored by Representatives Day, Moyer, Prentice, Braddock, Paris and Orr; by request of the Department of Health).

**Brief History:**

Reported by House Committee on:  
Health Care, February 14, 1991, DPS;  
Passed House, March 15, 1991, 95-3;  
Passed House, January 29, 1992, 92-3;  
Amended by Senate.

---

**HOUSE COMMITTEE ON  
HEALTH CARE**

**Majority Report:** *That Substitute House Bill No. 1258 be substituted therefor, and the substitute bill do pass.*  
Signed by 10 members: Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

**Staff:** John Welsh (786-7133).

**Background:** Nursing home administrators are regulated under state law and rules promulgated by the state Board of Examiners for the Licensing of Nursing Administrators. The board is composed of eight members, appointed by the governor, representing generally professions and institutions concerned with the care and treatment of the chronically ill or elderly infirm, and one member as a citizen who is eligible for Medicare. Members serve for three-year terms, and are eligible for re-appointment.

A nursing home administrator is defined as an individual in active administrative charge of a nursing home, regardless of ownership or administrative experience or intention to continue administering a nursing home.

The department has no specific authority set out in the licensing law to set fees, establish forms, issue licenses, employ staff, and maintain records.

Nursing home administrators are not required to be on-site, and may delegate functions to others.

The board currently has authority to adopt rules, determine educational requirements for licensure, administer examinations, conduct hearings, issue subpoenas, or issue temporary licenses.

Applicants for licensure are not required to have baccalaureate degrees.

Renewal of licenses is required annually.

**Summary of Bill:** There are a number of "house keeping" changes made in the licensure law for nursing home administrators generally. The language is up-dated, and obsolete language is repealed.

The name of the board is shortened to the Board of Nursing Home Administrators. The membership of the board is specified to require appointment of four members representing persons with at least four years experience in nursing home administration and who are not employed by the State or federal government; and four members representing providers of medical or nursing services, or employed by educational institutions with knowledge of health administration, education or long-term care. The member representing the public must be interested in long-term care and the welfare of patients generally, and is no longer required to be qualified for Medicare. Members serve five-year terms and are limited to two terms.

The definition of a nursing home administrator will be provided by board rules.

The department's authority to set fees, establish forms, issue licenses, employ staff, and maintain records is specified in the licensing law.

Nursing home administrators must be on-site, but, in their absence, may delegate responsibilities to others if in writing. The board is authorized to define the parameters for on-site administrators of rural nursing homes or those with small populations.

The board's authority to adopt rules, determine minimum educational requirements for licensure, administer

examinations, conduct hearings, issue subpoenas, and issue temporary licenses is updated.

Applicants for licensure applying after July 1, 1992, must possess a baccalaureate degree.

The renewal of licenses is authorized on dates to be specified by the Secretary of Health.

Sections of the law are repealed that are in conflict with these changes.

***EFFECT OF SENATE AMENDMENT(S):*** The amendment requires that a nursing home administrator administering a nursing home must be in active administrative charge of the nursing home. The board is given the ability to define what active administrator is and establish the parameters for on-site full time administrators in separately licensed facilities collocated on the same campus. Nursing home administrators are required to be both on-sight and full time. Clarification is provided to the conditions that must be present before a person can be delegated the responsibility as acting administrator with the responsibility to make decisions in the absence of the on-site full time administrator.

The composition of the board is changed to include one of the following: a resident of a nursing home, a family member of a resident, or a person eligible for medicare. This language replaced the requirement that the board contain a member selected for his or her interest in long-term care and the welfare of nursing home patients.

The responsibility of the board to determine the minimal education and experience requirements for licensure is modified.

Additional language was added to require that relicensure for nursing home administrators was also dependent upon fulfillment of continuing competency requirements.

The issuance of a nursing home administrator's license by the department to qualified applicants is extended from July 1, 1992 to July 1, 1993.

***Fiscal Note:*** Available.

***Effective Date:*** Ninety days after adjournment of session in which bill is passed, except for Section 7, the new requirement for applicants holding a baccalaureate degree, which takes effect on July 1, 1992.

**Testimony For:** The licensing law for nursing home administrators needs updating. A baccalaureate degree should be required of new administrators after July 1, 1992.

**Testimony Against:** None.

**Witnesses:** Cathy Wiggins, Department of Social & Health Services (Pro); Karen Tynes, Washington Association of Homes for the Aging (Pro with conditions); Jack Melton, Department of Health; and Russell Akiyama and Eleanor Hempleman, Board of Examiners for Nursing Home Administrators (Pro).

**VOTE ON FINAL PASSAGE:**

Yeas 92; Nays 3; Excused 3

Nays: Representatives Edmondson, Hochstatter, Lisk

Excused: Representatives Braddock, Grant, Locke