

By: Wright of the Senate  
and  
Weese of the House

An Act relating to public health and safety; amending 63 O.S. 1991, Sections 330.51 and 330.53, which relate to nursing home administrators; adding definition; providing for certain determination for qualified mental retardation professionals; providing for eligibility for qualified mental retardation professionals to take certain examinations; limiting number of certain facilities for which certain qualified mental retardation professionals may serve as the licensed administrator; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 330.51, is amended to read as follows:

Section 330.51 For the purposes of this act, and as used herein:

1. The term "Board" means the Oklahoma State Board of Examiners for Nursing Home Administrators hereinafter created;
2. The term "nursing home administrator" means a person who operates, or manages, or supervises, or is in charge of a nursing home, or specialized home;
3. The terms "nursing home", "rest home" and "specialized home" shall have the same meaning as the term "nursing facility" as such term is defined in the Nursing Home Care Act, Section 1-1901 et seq. of this title. The terms "administrator" and "owner" shall have the same meanings as such terms are defined in the Nursing Home Care Act; and
4. The term "qualified mental retardation professional" shall be an individual determined by the State Department of Health, pursuant to Section 483.430, 42 C.F.R., to:
  - a. have at least one (1) year of experience working directly with persons with mental retardation or other developmental disabilities, and
  - b. be one of the following:

- (1) a doctor of medicine or osteopathy licensed to practice in this state,
- (2) a registered nurse, or
- (3) an individual who holds at least a bachelor's degree in a related field.

SECTION 2. AMENDATORY 63 O.S. 1991, Section 330.53, is amended to read as follows:

Section 330.53 A. The Oklahoma State Board of Examiners for Nursing Home Administrators shall have authority to issue licenses to qualified persons as nursing home administrators, and shall establish qualification criteria for such nursing home administrators.

B. No license shall be issued to a person as a nursing home administrator unless:

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

- a. not less than twenty-one (21) years of age,
- b. of reputable and responsible character, and
- c. in sound physical and mental health; and

2. The person shall have submitted evidence satisfactory to the Board of the person's ability to supervise a nursing home or specialized home.

C. 1. A qualified mental retardation professional, as defined in Section 330.51 of this title, shall be determined to meet the educational requirements as a licensed nursing home administrator and shall be eligible to take the National Administrator Board and State Standards Examinations.

2. A qualified mental retardation professional who meets the requirements of paragraph 1 of this subsection may serve as the licensed administrator for no more than four (4) intermediate care facilities for the mentally retarded with sixteen or less beds (ICF-MR/16).

SECTION 3. This act shall become effective November 1, 1995.