J2 2lr2610

By: Delegate Kelly

Introduced and read first time: February 11, 2022 Assigned to: Health and Government Operations

### A BILL ENTITLED

# 1 AN ACT concerning

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# Health Occupations - Nursing Home Administrator - Qualifications

3 FOR the purpose of establishing an exception to the requirement that an individual be 4 licensed by the State Board of Examiners of Nursing Home Administrators before 5 the individual may practice in this State for a person who holds a license in another 6 state and has certain experience; altering the qualifications for applicants for a 7 license to practice as a nursing home administrator; requiring the State Board of 8 Examiners of Nursing Home Administrators to waive certain education 9 requirements for certain individuals who are licensed by another state; and generally 10 relating to nursing home administrators.

- 11 BY repealing and reenacting, without amendments,
- 12 Article Health Occupations
- 13 Section 9–301(a)
- 14 Annotated Code of Maryland
- 15 (2021 Replacement Volume)
- 16 BY adding to
- 17 Article Health Occupations
- 18 Section 9–301(c)
- 19 Annotated Code of Maryland
- 20 (2021 Replacement Volume)
- 21 BY repealing and reenacting, with amendments,
- 22 Article Health Occupations
- 23 Section 9–302
- 24 Annotated Code of Maryland
- 25 (2021 Replacement Volume)
- 26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 27 That the Laws of Maryland read as follows:



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(ii)

approved by the Board; [or]

#### **Article – Health Occupations** 1 2 9-301. 3 Except as otherwise provided in this section, an individual shall be licensed by the Board before the individual may practice as a nursing home administrator in this 4 State. 5 **(C)** 6 AN **INDIVIDUAL WHO HOLDS** AN **ACTIVE NURSING HOME** 7 ADMINISTRATOR LICENSE, IN GOOD STANDING, IN ANOTHER STATE MAY PRACTICE IN THIS STATE IF THE INDIVIDUAL HAS A MINIMUM OF: 8 9 **(1)** 3 YEARS OF EXPERIENCE AS A NURSING HOME ADMINISTRATOR; 10 OR 6 YEARS OF EXPERIENCE AS AN ASSISTANT NURSING HOME 11 **(2)** 12 ADMINISTRATOR. 13 9 - 302.To qualify for a license, an applicant shall be an individual who: 14 (a) 15 Submits to a criminal history records check in accordance with § 16 9-302.1 of this subtitle; and (2)17 Meets the requirements of this section. The applicant shall be of good moral character. 18 (b) 19 (c) The applicant shall be at least 21 years old. 20 (d) (1) The applicant shall: 21Have a baccalaureate or master's degree in health care (i) 1. administration from an accredited college or university; or 22232. Have a baccalaureate or master's degree in a field A. other than health care administration from an accredited college or university; and 2425В. Have satisfactorily completed a minimum of 100 hours in a course of study in health care administration approved by the Board; and 26

Have completed an administrator-in-training program

1 2	2. Have completed [1 year] 9 MONTHS of full—time nursing home administration in a nursing home; OR
3 4	3. HAVE COMPLETED 6 MONTHS OF FULL-TIME NURSING HOME ADMINISTRATION IN A NURSING HOME AND:
5 6	A. HAVE COMPLETED AN INTERNSHIP IN A NURSING HOME OR ASSISTED LIVING PROGRAM;
7 8 9	B. HOLD AN ACTIVE CERTIFICATION ISSUED BY THE STATE BOARD OF NURSING AND HAVE AT LEAST 10 YEARS OF EXPERIENCE AT A NURSING HOME; OR
10 11	C. HAVE AT LEAST 3 YEARS OF EXPERIENCE AS A DIRECTOR OF NURSING.
12 13	(2) The requirements of paragraph (1) of this subsection do not apply to an individual who:
14	(i) Was in possession of a valid license on December 15, 1988; or
15	(ii) 1. Had applied for a license by December 15, 1988; and
16	2. Met all of the other requirements for licensure.
17 18 19	(e) The Board [may] SHALL waive any education requirement of subsection (d) of this section for an individual who was licensed, REMAINS IN GOOD STANDING, and practiced as a nursing home administrator for at least 3 years in another state.
20 21 22	(f) (1) Notwithstanding the provisions of subsection (d)(1)(i)1 or 2A of this section, the Board may not require an applicant to have a baccalaureate degree if the applicant:
23	(i) Is a registered nurse who:
24	1. Has an associate in arts degree in nursing; or
25	2. Is a diplomate nurse;
26 27 28	(ii) Has been working as a nursing home director of nursing for a period of at least 5 years, with at least 3 years experience at the same facility, prior to the date the applicant submits an application to the Board for a license;
29 30	(iii) Has completed at least 6 months of full-time nursing home administration in a training program approved by the Board; and

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#### **HOUSE BILL 1241**

- 1 (iv) Has satisfactorily completed a minimum of 100 hours in a course 2 of study in health care administration, or equivalent, approved by the Board.
  - (2) Whenever federal law requires that an applicant for a license to practice as a nursing home administrator must have a baccalaureate degree in health care administration or in a field other than health care administration the provisions of this section shall cease to be effective.
- 7 (g) Except as otherwise provided in this title, the applicant shall pass an 8 examination given by the Board under this subtitle.
- 9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 10 October 1, 2022.