

SECOND REGULAR SESSION

HOUSE BILL NO. 2713

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE QUADE.

6553H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 344.040, RSMo, and to enact in lieu thereof one new section relating to nursing home administrator license renewals.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 344.040, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 344.040, to read as follows:

344.040. 1. Every license issued under this chapter shall expire on June thirtieth of the year following the year of issuance and every other year thereafter, provided that licenses issued or renewed during the year 2006 may be issued or renewed by the board for a period of either one or two years, as provided by rule. Licensees seeking renewal shall, during the month of May of the year of renewal, file an application for renewal on **the appropriate licensure-level** forms furnished by the board **or apply for renewal through the board's electronic online system**, which shall include evidence satisfactory to the board of completion of the approved continuing education hours required by the board, and shall be accompanied by a renewal fee as provided by rule payable to the department of health and senior services.

2. Upon receipt of an incomplete application for renewal, the board shall grant the applicant a temporary permit which shall be in effect for thirty days. The applicant is required to submit the required documentation or fee within the thirty-day period, or the board may refuse to renew his or her application. The thirty-day period can be extended for good cause shown for an additional thirty days. Upon receipt of the approved continuing education credits or other required documentation or fee within the appropriate time period, the board shall issue a license.

3. The board shall renew the license of an applicant who has met all of the requirements for renewal. **Such license shall be issued for a two-year period.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 4. As a requirement for renewal of license, the board may require not more than
19 ~~[forty-eight]~~ **forty** clock hours of continuing education ~~[a]~~ **each** year. **Any number of**
20 **continuing education hours earned in the month of June in excess of the required hours**
21 **may be carried over to the next renewal period.** The continuing education provided for under
22 this section shall be approved by the board. There shall be a separate, nonrefundable fee for each
23 single offering provider. The board shall set the amount of fee for any single offering provided
24 by rules and regulations promulgated ~~[pursuant to]~~ **under** section 536.021. The fee shall be set
25 at a level to produce revenue which shall not substantially exceed the cost and expense in
26 administering and reviewing any single offering.

27 5. **A minimum of ten clock hours shall be in patient care related offerings as**
28 **defined by rule. A maximum of twenty clock hours of the forty-hour requirement may be**
29 **from online continuing education programs if a Missouri board-approved training agency**
30 **offers the program or it is approved by the National Continuing Education Review Service**
31 **(NCERS) under the National Association of Long Term Care Administrator Boards**
32 **(NAB). Each licensee whose initial licensure period is less than two years shall be required**
33 **to obtain at least one and one-half hours of continuing education for each month in the**
34 **initial licensure period, which shall include programs covering patient care related topics**
35 **as defined by rule. The licensee may complete up to fifty percent of the prorated hours**
36 **through online continuing education programs. The minimum number of clock hours**
37 **required in patient care related programs is as follows. For an initial licensure period of:**

- 38 (1) **Eighteen months to twenty-three months, eight hours;**
39 (2) **Twelve months to seventeen months, six hours;**
40 (3) **Six months to eleven months, four hours; and**
41 (4) **Five months or less, two hours.**

42 6. By April first of each year, the board shall notify **by mail or electronic**
43 **communication** every person whose license ~~[shall]~~ **is due to be renewed by June thirtieth**
44 during the current year. The applicant ~~[must]~~ **shall** submit such information as will enable the
45 board to determine if the applicant's license should be renewed. Information provided in the
46 application shall ~~[be attested by signature to be true and correct to the best of the applicant's~~
47 ~~knowledge and belief]~~ **include an attestation verifying that the licensee has completed the**
48 **forty-hour continuing education requirement. Licensees shall maintain proof of having**
49 **completed the number of continuing education hours claimed at the time of renewal and**
50 **shall, upon request of the board, make such proof available for audit to verify completion**
51 **of the number and validity of hours claimed. Documentation to prove completion of**
52 **continuing education hours shall be maintained by each licensee for four years from the**
53 **last day of the licensure year in which the hours were earned.**

54 ~~[6.]~~ 7. Any licensee who fails to apply to renew his or her license by June thirtieth of the
55 licensee's year of renewal may be relicensed by the board if he **or she** meets the requirements set
56 forth by the board ~~[pursuant to]~~ **under** sections 344.010 to 344.108 and pays the renewal fee
57 required by rule, plus a penalty of twenty-five dollars. No action shall be taken by the board in
58 addition to a penalty of twenty-five dollars imposed by this section against any such licensee
59 whose license has not expired for a period of more than two months, and who has had no action
60 in the preceding five years taken against ~~them~~ **him or her** by the board, and who has met all
61 other licensure requirements by June thirtieth of the year of renewal; provided, however, that
62 nothing in this section shall prevent the board from taking any other disciplinary action against
63 a licensee if there shall exist a cause for discipline ~~[pursuant to]~~ **under** section 344.050. A
64 person whose license has expired for a period of more than twelve months ~~must~~ **shall** meet the
65 requirements set out in section 344.030 for initial licensure.

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