

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

400D0335

HOUSE BILL NO. 1027

Introduced by: The Committee on Commerce at the request of the Department of Commerce
and Regulation

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the nursing facility
2 administrator licensure renewal and to provide for the reactivation of inactive license status.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 36-28-9 be amended to read as follows:

5 36-28-9. The board shall adopt rules pursuant to chapter 1-26 to determine the qualifications;
6 and competence, ~~and fitness~~ of any person to serve as an administrator of a nursing facility under
7 the provisions of this chapter. The holder of a license under the provisions of this chapter may
8 serve as the administrator of a nursing facility.

9 Section 2. That § 36-28-10 be amended to read as follows:

10 36-28-10. The board shall adopt rules pursuant to chapter 1-26 to develop, impose, and
11 enforce standards which ~~must~~ shall be met by persons in order to receive a license as a nursing
12 facility administrator. The standards shall ensure that nursing facility administrators ~~will be~~ are
13 persons who ~~are of good character and are otherwise suitable and who~~, by training ~~or~~ and
14 experience in the field of institutional administration, are qualified to serve as nursing facility
15 administrators.

16 Section 3. That § 36-28-15 be amended to read as follows:

1 36-28-15. ~~Each~~ Any person applying to be licensed as a nursing facility administrator shall
2 pay an initial license fee in an amount set in a rule promulgated by the board pursuant to chapter
3 1-26, which ~~shall~~ may not exceed one hundred fifty dollars. The initial license fee shall be
4 prorated to the next biennial renewal date according to rule promulgated by the board pursuant
5 to chapter 1-26.

6 Section 4. That § 36-28-18 be amended to read as follows:

7 36-28-18. A nursing facility administrator's license ~~shall expire~~ expires on December
8 thirty-first ~~of the year following its issuance~~ biennially and is renewable ~~annually~~ biennially
9 thereafter upon application to the board and payment of ~~an annual~~ a biennial license fee set in a
10 rule promulgated by the board pursuant to chapter 1-26. The fee may not exceed one hundred
11 ~~twenty-five~~ fifty dollars. ~~The board of examiners may also promulgate rules regarding display of~~
12 ~~licenses and certificates of renewal as well as set fees for issuance of duplicate licenses or~~
13 ~~certificates.~~

14 Section 5. That § 36-28-18.1 be amended to read as follows:

15 36-28-18.1. The board ~~of examiners~~ may issue duplicate licenses ~~or certificates of annual~~
16 biennial renewal and may adopt rules and set fees therefore, which may not exceed fifty dollars,
17 in compliance with chapter 1-26.

18 Section 6. That § 36-28-19 be amended to read as follows:

19 36-28-19. ~~Every~~ Any holder of a nursing facility administrator's license shall renew it ~~annually~~
20 biennially by making application to the board of examiners. Such renewals shall be granted
21 without examination upon the payment of the required fees, unless the board finds in compliance
22 with chapter 1-26 that such applicant has acted or failed to act in such a manner or under such
23 circumstances as would constitute grounds for suspension or revocation of a license.

24 Section 7. That § 36-28-20 be amended to read as follows:

25 36-28-20. The board ~~of examiners shall have the power, duty, and responsibility to conduct~~

1 a continuing study and investigation of nursing ~~homes~~ facilities and administrators of nursing
2 ~~homes~~ facilities within the state to improve the standards imposed for the licensing of such
3 administrators and the procedures and methods for the enforcement of such standards.

4 Section 8. That chapter 36-28 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 A licensed nursing facility administrator may file for inactive status and pay a fee of not more
7 than seventy-five dollars. The administrator may reactivate the license by completing an
8 application, paying the required fee, completing the continuing education requirement, passing
9 the state examination, and fulfilling other experiences as determined by the length of inactive
10 status, as prescribed by the board in rules promulgated pursuant to chapter 1-26.