

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987

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# ENROLLED

HOUSE BILL No. 2048

(By Delegate Flanigan.....)

— ● —

Passed MARCH 14,..... 1987

In Effect ninety Days from Passage

**ENROLLED**  
**H. B. 2048**  
(By DELEGATE FLANIGAN)

[Passed March 14, 1987; in effect ninety days from passage.]

AN ACT to amend and reenact sections four, five and six, article twenty-five, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the qualifications for licensure of nursing homes; exceptions; application; increase in license fees and fees for renewal; display of license and emergency permits.

*Be it enacted by the Legislature of West Virginia:*

That sections four, five and six, article twenty-five, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 25. NURSING HOME ADMINISTRATORS.**

**§30-25-4. Qualifications for license; exceptions; application; fees.**

1 (a) To be eligible for a license as a nursing home  
2 administrator a person must:

3 (1) Be of good moral character;

4 (2) Possess such qualifications and meet such reasona-  
5 ble standards as the board may prescribe pursuant to  
6 subsection (a), section seven of this article;

7 (3) Pass the examination prescribed by the board in  
8 the subject of nursing home administration; and

9 (4) Have sufficient knowledge and soundness of  
10 judgment to be able to adequately discharge the  
11 functions of a nursing home administrator.

12 (b) Any person who holds a license or certificate as  
13 a nursing home administrator issued by any other state,  
14 the requirements for which license or certificate are  
15 found by the board to be at least as great as those  
16 provided in this article may be granted a license without  
17 examination if he meets all of the other requirements  
18 for licensing in this state.

19 (c) Any applicant for any such license shall submit an  
20 application therefor at such time, in such manner, on  
21 such forms and containing such information as the  
22 board may, from time to time, by reasonable rules and  
23 regulations prescribe and pay to the board a license fee  
24 of two hundred dollars, which fee shall be returned to  
25 the applicant if he is denied a license.

**§30-25-5. Issuance of license; renewal of license; renewal  
fee; display of license.**

1 Whenever the board finds that an applicant meets all  
2 of the requirements of this article for a license as a  
3 nursing home administrator, it shall forthwith issue to  
4 him such license; otherwise the board shall deny the  
5 same. The license shall be valid for a period ending on  
6 June thirty next ensuing and may be renewed without  
7 examination upon application for renewal on a form  
8 prescribed by the board and payment to the board of  
9 a renewal fee of one hundred dollars: *Provided*, That the  
10 board may deny an application for renewal for any  
11 reason which would justify the denial of the original  
12 application for a license. The board shall prescribe the  
13 form of licenses and each such license shall be conspic-  
14 uously displayed by the licensee at the nursing home  
15 which he administers.

**§30-25-6. Emergency permit.**

1 If a licensed nursing home administrator dies or is  
2 unable to continue as such from an unexpected cause,  
3 the owner, governing body or other appropriate author-  
4 ity in charge of the nursing home involved may

5 designate an acting administrator to whom the board  
6 may immediately issue an emergency permit if it finds  
7 such appointment will not endanger the safety of the  
8 occupants of such nursing home. Such emergency  
9 permit shall be valid for a period determined by the  
10 board not to exceed six months and shall not be  
11 renewed. The fee for an emergency permit shall be one  
12 hundred dollars.

*2018* *Board of*  
*Health Services*

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Bruce O. Williams*  
.....  
Chairman Senate Committee

*Lyle Satter*  
.....  
Chairman House Committee  
member,

Originating in the House.

Takes effect ninety days from passage.

*Isidore C. Melles*  
.....  
Clerk of the Senate

*Donald L. Kapp*  
.....  
Clerk of the House of Delegates

*Walter T. ...*  
.....  
President of the Senate

*Robert ...*  
.....  
Speaker of the House of Delegates

The within *approved* this the *30th*  
*March*  
day of ....., 1987.

*Arthur ... Jr.*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/25/87

Time 4:22 p.m.

RECEIVED

1987

~~APR 29~~ *Apr 1*

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OFFICE OF THE ATTORNEY GENERAL  
STATE OF NEW YORK