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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1992



ENROLLED

SENATE BILL NO. 311

(By Senator Spears)



PASSED March 3, 1992

In Effect 90 days from Passage

ENROLLED
Senate Bill No. 311
(By SENATOR SPEARS)

[Passed March 3, 1992; in effect ninety days from passage.]

AN ACT to amend and reenact sections one and two, article twenty-five, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to nursing home administrators; designating such administrators as professionals; increasing from two to six the number of such administrators appointed to the nursing home administrators licensing board; specifying the terms to be served by such additional board members appointed in the year one thousand nine hundred ninety-two; and making technical corrections.

Be it enacted by the Legislature of West Virginia:

That sections one and two, 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.

§30-25-1. Definitions.

- 1 As used in this article, unless a different meaning
- 2 appears from the context:
- 3 (1) The term "nursing home" means a nursing home
- 4 as that term is defined in subdivision (c), section two,

5 article five-c, chapter sixteen of this code.

6 (2) The term "nursing home administrator" means a
7 professional who is an individual responsible for
8 planning, organizing, directing and controlling a
9 nursing home, or who in fact performs such functions,
10 whether or not such individual has an ownership
11 interest in the nursing home and whether or not such
12 functions are shared with one or more other persons.

13 (3) The term "board" shall mean the West Virginia
14 nursing home administrators licensing board created
15 by this article.

16 (4) The term "person" or "applicant" shall mean an
17 individual.

**§30-25-2. West Virginia nursing home administrators licens-
ing board; creation; appointment, qualification,
term, etc., of members; vacancies; meet-
ings, quorum; chairman; salaries and
expenses.**

1 There is hereby created a state board to be known
2 and designated as the "West Virginia nursing home
3 administrators licensing board" which shall consist of
4 eleven members, all of whom except a lay member, as
5 provided for in section four-a, article one, chapter
6 thirty of this code, shall be appointed by the governor,
7 by and with the advice and consent of the Senate. One
8 of the members shall be a member of the medical
9 profession whose practice involves gerontology, one
10 member shall be a licensed pharmacist, one member
11 shall be a registered nurse with experience in the care
12 of elderly patients, one member shall be a person with
13 experience or education in the field of aging, and six
14 such members shall be persons who have been
15 engaged in the management of an operating nursing
16 home for four years immediately prior to the date of
17 appointment, who shall hereinafter be referred to as
18 nursing home administrators. The eleventh member
19 shall be a lay member. No member of the board, other
20 than the six nursing home administrators, shall have
21 any direct or indirect financial or pecuniary interest in
22 any nursing home in this state. Of the original board

23 members appointed, the one who is a registered nurse
24 shall serve for one year, the one who has experience
25 or education in the field of aging shall serve for two
26 years, the one who is a member of the medical
27 profession shall serve for three years, the one who is
28 a licensed pharmacist shall serve for four years, one of
29 the two nursing home administrators shall serve for
30 five years, and the other nursing home administrator
31 shall serve for six years. Of the members appointed
32 for the positions added in the year one thousand nine
33 hundred ninety-two, one shall serve for six years, one
34 shall serve for five years, one shall serve for four
35 years, and one shall serve for three years. All subse-
36 quent appointments shall be for six years, except, that
37 in case of a vacancy, the appointee shall be appointed
38 for the remainder of the unexpired term. Any vacancy
39 shall be filled by appointment of the governor, by and
40 with the advice and consent of the Senate, from the
41 same group as was represented by the outgoing
42 member. All members of the board, unless sooner
43 removed, shall continue to serve until their respective
44 terms expire and until their successors are appointed
45 and have qualified.

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

Homer Heck
.....
Chairman Senate Committee

Ernest C. Moore
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Darrell E. Holmes
.....
Clerk of the Senate

Donald G. Kopp
.....
Clerk of the House of Delegates

Paul Hundeter
.....
President of the Senate

W. S. C. C.
.....
Speaker House of Delegates

The within *is approved* this the *17th*
day of *March*, 1992.

Gaston Caperton
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/11/92

Time 3:37pm