WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1992

ENROLLED

SENATE BILL NO. 34

(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 appears from the context:

2 (1) The term “nursing home” means a nursing home as that term is defined in subdivision (c), section two,
(2) The term "nursing home administrator" means a professional who is an individual responsible for planning, organizing, directing and controlling a nursing home, or who in fact performs such functions, whether or not such individual has an ownership interest in the nursing home and whether or not such functions are shared with one or more other persons.

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

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

§30-25-2. West Virginia nursing home administrators licensing board; creation; appointment, qualification, term, etc., of members; vacancies; meetings, quorum; chairman; salaries and expenses.

There is hereby created a state board to be known and designated as the "West Virginia nursing home administrators licensing board" which shall consist of eleven members, all of whom except a lay member, as provided for in section four-a, article one, chapter thirty of this code, shall be appointed by the governor, by and with the advice and consent of the Senate. One of the members shall be a member of the medical profession whose practice involves gerontology, one member shall be a licensed pharmacist, one member shall be a registered nurse with experience in the care of elderly patients, one member shall be a person with experience or education in the field of aging, and six such members shall be persons who have been engaged in the management of an operating nursing home for four years immediately prior to the date of appointment, who shall hereinafter be referred to as nursing home administrators. The eleventh member shall be a lay member. No member of the board, other than the six nursing home administrators, shall have any direct or indirect financial or pecuniary interest in any nursing home in this state. Of the original board
members appointed, the one who is a registered nurse shall serve for one year, the one who has experience or education in the field of aging shall serve for two years, the one who is a member of the medical profession shall serve for three years, the one who is a licensed pharmacist shall serve for four years, one of the two nursing home administrators shall serve for five years, and the other nursing home administrator shall serve for six years. Of the members appointed for the positions added in the year one thousand nine hundred ninety-two, one shall serve for six years, one shall serve for five years, one shall serve for four years, and one shall serve for three years. All subsequent appointments shall be for six years, except, that in case of a vacancy, the appointee shall be appointed for the remainder of the unexpired term. Any vacancy shall be filled by appointment of the governor, by and with the advice and consent of the Senate, from the same group as was represented by the outgoing member. All members of the board, unless sooner removed, shall continue to serve until their respective terms expire and until their successors are appointed and have qualified.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the day of , 1992.

Governor