

## HOUSE BILL NO. 378

INTRODUCED BY WINDY BOY, BOGGIO, BROWN, CLARK, SMITH, STAHL, THOMAS, COCCHIARELLA

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING AND REVISING THE MAKEUP OF THE BOARD OF NURSING HOME ADMINISTRATORS; ESTABLISHING LEGISLATIVE FINDINGS AND PURPOSE FOR THE BOARD; AND AMENDING SECTION 2-15-1735, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Legislative findings -- purpose.** The legislature finds that the profession of nursing home administration affects the lives of an often frail and vulnerable population of THAT INCLUDES older and disabled Montanans who are unable to live independently. The purpose of this chapter is to regulate and control the profession to protect the public health, welfare, and safety by ensuring the ethical, qualified, and professional practice of nursing home administration.

**Section 2.** Section 2-15-1735, MCA, is amended to read:

**"2-15-1735. Board of nursing home administrators.** (1) There is a board of nursing home administrators.

(2) The board consists of ~~five~~ six voting members appointed by the governor with the consent of the senate. ~~No more than two~~ Three members ~~may~~ must be nursing home administrators. One member shall represent the public at large and must be 55 years of age or older at the time of appointment. The other two members must be representatives of professions or institutions concerned with the care of chronically ill and infirm aged patients and may not be from the same profession or have a financial interest in a nursing home.

(3) The director of the department of public health and human services or the director's designee is an ex officio, nonvoting member of the board.

(4) Each appointed member shall serve for a term of 5 years. Any vacancy occurring in the position of an appointive member must be filled by the governor for the unexpired term.

(5) Appointive members may be removed by the governor only for cause.

(6) The board is allocated to the department for administrative purposes only as prescribed in 2-15-121."

NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an

integral part of Title 37, chapter 9, part 1, and the provisions of Title 37, chapter 9, apply to [section 1].

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