

## AN ACT

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

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

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

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

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

36-28-10. The board shall adopt rules pursuant to chapter 1-26 to develop, impose, and enforce standards which shall be met by persons in order to receive a license as a nursing facility administrator. The standards shall ensure that nursing facility administrators are persons who, by training and experience in the field of institutional administration, are qualified to serve as nursing facility administrators.

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

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

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

36-28-18. A nursing facility administrator's license expires on December thirty-first biennially and is renewable biennially thereafter upon application to the board and payment of a biennial license fee set in a rule promulgated by the board pursuant to chapter 1-26. The fee may not exceed one hundred fifty dollars.

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

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

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

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

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

36-28-20. The board shall conduct a continuing study and investigation of nursing facilities and administrators of nursing facilities within the state to improve the standards imposed for the licensing of such administrators and the procedures and methods for the enforcement of such standards.

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

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

An Act to revise certain provisions relating to the nursing facility administrator licensure renewal and to provide for the reactivation of inactive license status.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1027

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1027

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State