

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 539

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO THE IDAHO RESIDENTIAL CARE ADMINISTRATORS ACT; AMENDING
2 SECTION 54-4203, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING
3 SECTION 54-4204, IDAHO CODE, TO REMOVE REFERENCE TO THE INITIAL
4 BOARD, TO REVISE BOARD MEMBER COMPENSATION AND TO MAKE TECHNICAL
5 CORRECTIONS; AND AMENDING SECTION 54-4206, IDAHO CODE, TO REVISE
6 CANDIDATE QUALIFICATIONS FOR A LICENSURE EXAMINATION AND TO MAKE
7 TECHNICAL CORRECTIONS.
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Section 54-4203, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 54-4203. FACILITY SUPERVISION BY LICENSED ADMINISTRATOR REQUIRED
13 -- PRACTICE BY UNLICENSED PERSON PROHIBITED -- PROVISIONAL ~~LICENSE~~
14 PERMIT. Effective July 1, 1991, no residential care facility in the state
15 shall be operated unless it is under the supervision of a person who holds
16 a currently valid residential care facility administrator's license, or
17 provisional permit, issued pursuant to this chapter. No person shall
18 practice or offer to practice residential care facility administration in
19 this state or use any title, sign, card or device to indicate that he is a
20 residential care facility administrator unless such person is duly licensed
21 or holds a current provisional permit as required by this chapter.

22 SECTION 2. That Section 54-4204, Idaho Code, be, and the same is hereby
23 amended to read as follows:

24 54-4204. BOARD OF EXAMINERS OF RESIDENTIAL CARE FACILITY
25 ADMINISTRATORS. (1) There is hereby created in the department of
26 self-governing agencies a board of examiners of residential care facility
27 administrators, ~~which board that~~ shall consist of five (5) members, ~~and~~
28 be composed of two (2) residential care facility administrators, duly
29 licensed and registered under this chapter, ~~and three (3) other members as~~
30 ~~hereinafter described, except that such members of the initial board shall~~
31 ~~be required only to possess the qualifications and be eligible for licensure~~
32 ~~as required under this chapter,~~ one (1) member shall be selected from any
33 other profession or agency or institution concerned with the care of persons
34 requiring assistance with the daily activities of living, ~~and~~ one (1) licensed
35 nurse from the nursing profession, ~~and~~ one (1) member representative of the
36 public at large; but no more than two (2) of the members of the board shall be
37 officials or full-time employees of state or local governments. All members
38 of the board shall be citizens of the United States or shall have declared
39 their intent to become citizens of the United States and shall be residents
40 of this state.

1 ~~(2) One (1) member of the initial board shall be appointed for a one (1)~~
 2 ~~year term of office, two (2) members of the initial board shall be appointed~~
 3 ~~for a two (2) year term of office, and two (2) members of the initial board~~
 4 ~~shall be appointed for a three (3) year term of office. Thereafter, t~~The term
 5 of office for each member of the board shall be three (3) years.

6 (3) (a) Appointments to the board shall be made by the governor
 7 after consultation with the executive board of any organized and
 8 generally recognized group concerned with residential care facility
 9 administration. Each member of the board shall hold office until his
 10 successor is duly appointed and qualified. Dismissals shall be by the
 11 governor, for reasonable cause.

12 (b) The two (2) residential care facility administrators must be
 13 appointed from a list of three (3) submitted by any organized and
 14 generally recognized group concerned with residential care facility
 15 administration.

16 (c) Members of the board shall be compensated as provided in section
 17 59-509(~~#1~~), Idaho Code.

18 (4) The board shall elect annually from its membership a chairman and
 19 vice chairman. The board shall hold two (2) or more meetings each year. A
 20 majority of the board membership shall constitute a quorum.

21 (5) The board shall exercise its powers and perform its duties and
 22 functions specified by this chapter.

23 (6) The board may, by written agreement, authorize the bureau of
 24 occupational licenses, or other appropriate body as provided by law, as
 25 agent to act in its interest.

26 SECTION 3. That Section 54-4206, Idaho Code, be, and the same is hereby
 27 amended to read as follows:

28 54-4206. QUALIFICATIONS FOR EXAMINATION FOR LICENSE. (1) The board
 29 shall admit to the examination for licensure as a residential care facility
 30 administrator any ~~candidate~~ applicant who submits the required application,
 31 pays a fee as determined by the board, submits evidence of good moral
 32 character and suitability prescribed by the board and is at least twenty-one
 33 (21) years old ~~except:~~

34 ~~(a) No applicant for a license shall be admitted to such licensing~~
 35 ~~examination or be granted a license unless such applicant shall submit~~
 36 ~~written evidence of graduation from a high school or of having obtained~~
 37 ~~high school or secondary school equivalency.~~

38 ~~(b)~~ (2) Each applicant shall submit evidence satisfactory to the board
 39 that he has successfully completed specialized courses or a program of study
 40 in the area of residential care facility administration as required and
 41 approved by the rules of the board.

42 (3) Each applicant shall meet one (1) of the following combinations of
 43 education and experience:

44 (a) A high school diploma or equivalent and two (2) years of experience
 45 working in a residential care facility, at least one (1) year of which
 46 was in a leadership or management position;

47 (b) An associate degree from an accredited college or university or
 48 equivalent and one (1) year experience working in a residential care
 49 facility in a leadership or management position; or

1 (c) A bachelor's degree from an accredited college or university and
2 six (6) months of experience working in a residential care facility in a
3 leadership or management position.

4 (24) An ~~candidate~~ applicant who applies for examination ~~under and~~
5 pursuant to subsection (1) of this section, ~~in lieu of~~ and who does not meet
6 the educational requirements provided ~~for therein~~ in subsection (3) (a)
7 through (c) of this section, may submit evidence satisfactory to the board
8 that such applicant has ~~obtained two (2) years of~~ satisfactory practical
9 experience in ~~the leadership or management of a residential care facility~~
10 administration or in a related health administration area for each year of
11 high school education.