

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 36

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1
2 RELATING TO THE BOARD OF NURSING HOME ADMINISTRATORS; AMENDING SECTION
3 54-1612, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE IMPOSITION
4 OF A FINE UPON A LICENSEE BY THE BOARD OF NURSING HOME ADMINISTRATORS AND
5 TO MAKE TECHNICAL CORRECTIONS.

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

7 SECTION 1. That Section 54-1612, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 54-1612. REVOCATION OR SUSPENSION OF LICENSE, REPRIMAND, CENSURE, OR
10 OTHER DISCIPLINE. (1) The license of any person practicing or offering to
11 practice nursing home administration may be revoked or suspended, or such
12 licensee may be reprimanded, censured, or otherwise disciplined in accor-
13 dance with the provisions of this section upon decision and after due hearing
14 in any of the following cases:

15 (a) Upon proof that such licensee is reasonably unfit to operate a nurs-
16 ing home.

17 (b) Upon proof that such licensee has willfully or repeatedly violated
18 any of the provisions of this ~~act~~ chapter or the rules enacted in accor-
19 dance with, or willfully or repeatedly acted in a manner inconsistent
20 with the health and safety of the patients of the home in which he is the
21 administrator.

22 (c) Upon proof that such licensee is guilty of fraud or deceit in the
23 practice of nursing home administration or related activities, or in
24 his or her admission to such practice.

25 (2) The board may impose a fine of up to one thousand dollars (\$1,000)
26 upon a licensee for each violation of any of the provisions of section
27 54-1612(1), Idaho Code. The board may also order the licensee to pay the
28 costs and fees incurred by the board in the investigation and prosecution of
29 the licensee for a violation of any provision of section 54-1612(1), Idaho
30 Code.

31 (3) The board, or a hearing officer designated by it shall have juris-
32 diction to hear all charges brought under the provisions of this section
33 against persons licensed as nursing home administrators, and upon such hear-
34 ings shall determine such charges upon their merits. If the board determines
35 that such person is guilty of the charges, the board may revoke his or her li-
36 cense, suspend him or her from practice, or reprimand, censure, or otherwise
37 discipline such licensee.

38 (34) Proceedings under this section shall be initiated by filing with
39 the board, charges in writing and under oath. The board on its own motion may
40 conduct an investigation and initiate charges. The procedures for notifi-
41 cation and the hearing on such charges, unless dismissed by the board as un-

1 founded or trivial, shall be conducted pursuant to the provisions of chapter
2 52, title 67, Idaho Code.