

IN THE SENATE

SENATE BILL NO. 1042

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1  
2 RELATING TO RESIDENTIAL CARE; AMENDING SECTION 39-3340, IDAHO CODE, TO PRO-  
3 VIDE THAT A CHANGE OF LEASE DOES NOT REQUIRE FACILITY RELICENSING AND TO  
4 MAKE TECHNICAL CORRECTIONS.

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

6 SECTION 1. That Section 39-3340, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 39-3340. LICENSING. (1) Any person, firm, partnership, association,  
9 governmental unit, or corporation within the state proposing to operate, es-  
10 tablish, manage, conduct, or maintain a residential care or assisted living  
11 facility in the state shall have a license issued by the licensing agency of  
12 the department. A license is not transferable. The owner of the license has  
13 ultimate responsibility for the operation of the facility.

14 (2) Each residential care or assisted living facility in the state re-  
15 quires an administrator, properly licensed by the bureau of occupational li-  
16 censing, who is responsible for the day-to-day operation of the facility.

17 (3) A license is not transferable from one (1) individual to another,  
18 from one (1) business entity to another, or from one (1) location to another.  
19 When a change of operator, ownership, ~~lease~~ or location occurs, the facility  
20 shall be relicensed, and the operator shall follow the application proce-  
21 dures, and obtain a license, before commencing operation as a facility. When  
22 there is a significant change in an owner's share of the facility, ~~but which~~  
23 that does not alter the overall ownership or operation of the business, that  
24 change shall be communicated to the licensing agency within sixty (60) days  
25 of the effective date of the change. When the owner contracts the operation  
26 to a facility management company, other than for temporary management, it  
27 shall be treated as a change of operator.