

AMENDED IN SENATE APRIL 22, 2008

AMENDED IN SENATE MARCH 24, 2008

**SENATE BILL**

**No. 1268**

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**Introduced by Senator Denham**  
(Coauthor: Assembly Member Galgiani)

February 19, 2008

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An act to amend Sections 1416.22 and 1416.55 of the Health and Safety Code, relating to nursing home administrators.

LEGISLATIVE COUNSEL'S DIGEST

SB 1268, as amended, Denham. Nursing home administrators.

Existing law provides for the licensing of nursing home administrators by the State Department of Public Health. To become a nursing home administrator, an applicant must pass the nursing home administrator licensing examination.

Existing law requires, in order to take the examination, that minimum educational and experiential qualifications must be met.

This bill would ~~allow~~ *permit* the department, *upon the request of an applicant who is a member of a recognized church or religious denomination whose teachings historically prohibit the acquisition of the formal education that would otherwise be required to take the licensing examination*, to waive the *licensing examination* educational requirements for ~~applicants taking the nursing home administrator examination~~ *that applicant if they have he or she has completed a program-approved Administrator-in-Training Program (AIT Program)*. Applicants receiving this waiver would only be allowed to oversee ~~already established~~ *currently licensed* facilities that are *owned by the applicant's church or religious denomination and that remain in good standing with the department.* ~~Its~~

*This bill would permit an applicant who is a member of a recognized church or religious denomination whose teachings historically prohibit the acquisition of the formal education to request educational waivers for admission to the AIT program. It would permit an applicant to apply for preapproval of a waiver before beginning the AIT Program.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1416.22 of the Health and Safety Code  
2 is amended to read:

3 1416.22. (a) To qualify for the licensing examination, an  
4 applicant must be at least 18 years of age, be a citizen of the United  
5 States or a legal resident, be of reputable and responsible character,  
6 demonstrate an ability to comply with this chapter, and comply  
7 with at least one of the following requirements:

8 (1) Have a master’s degree in nursing home administration or  
9 a related health administration field. The master’s program in  
10 which the degree was obtained must have included an internship  
11 or residency of at least 480 hours in a skilled nursing facility or  
12 intermediate care facility.

13 (2) (A) With regard to applicants who have a current valid  
14 license as a nursing home administrator in another state and apply  
15 for licensure in this state, meet the minimum education  
16 requirements that existed in this state at the time the applicant was  
17 originally licensed in the other state.

18 (B) The minimum education requirements that have existed in  
19 California are as follows:

20		
21	Prior to 7/1/73	None
22	From 7/1/73 to 6/30/74	30 semester units
23	From 7/1/74 to 6/30/75	45 semester units
24	From 7/1/75 to 6/30/80	60 semester units
25		
26	From 7/1/80 to 1/1/02	Baccalaureate degree
27		

28 (3) A doctorate degree in medicine and a current valid license  
29 as a physician and surgeon with 10 years of recent work experience,

1 and the completion of a program-approved AIT Program of at least  
2 1,000 hours.

3 (4) A baccalaureate degree, and the completion of a  
4 program-approved AIT Program of at least 1,000 hours.

5 (5) Ten years of recent full-time work experience, and a current  
6 license, as a licensed registered nurse, and the completion of a  
7 program-approved AIT Program of at least 1,000 hours. At least  
8 the most recent five years of the 10 years of work experience shall  
9 be in a supervisory or director of nursing position.

10 (6) Ten years of full-time work experience in any department  
11 of a skilled nursing facility, an intermediate care facility, or an  
12 intermediate care facility developmentally/disabled with at least  
13 60 semester units (or 90 quarter units) of college or university  
14 courses, and the completion of a program-approved AIT Program  
15 of at least 1,000 hours. At least the most recent five years of the  
16 10 years of work experience shall be in a position as a department  
17 manager.

18 (7) Ten years of full-time hospital administration experience in  
19 an acute care hospital with at least 60 semester units (or 90 quarter  
20 units) of college or university courses, and the completion of a  
21 program-approved AIT Program of at least 1,000 hours. At least  
22 the most recent five years of the 10 years of work experience shall  
23 be in a supervisory position.

24 (8) If the applicant and the preceptor provide compelling  
25 evidence that previous work experience of the applicant directly  
26 relates to nursing home administrator duties, the program may  
27 accept a waiver exception to a portion of the AIT program that  
28 requires 1,000 hours.

29 (b) The applicant shall submit an official transcript that  
30 evidences the completion of required college and university  
31 courses, degrees, or both. An applicant who applies for the  
32 licensing examination on the basis of work experience shall submit  
33 a declaration signed under penalty of perjury, verifying his or her  
34 work experience. This declaration shall be signed by a licensed  
35 nursing home administrator, physician and surgeon, chief of staff,  
36 director of nurses, or registered nurse who can attest to the  
37 applicant's work experience.

38 (c) ~~The~~ *Upon request of an applicant who is a member of a*  
39 *recognized church or religious denomination whose teachings*  
40 *historically prohibit the acquisition of the formal education that*

1 *would otherwise be required to qualify for the licensing*  
 2 *examination, the department may issue a written waiver of the*  
 3 *licensing examination educational requirements for—~~an~~ that*  
 4 *applicant—~~taking the licensing examination~~ if the applicant has*  
 5 *completed a program-approved AIT Program of at least 1,000*  
 6 *hours. If the educational requirements are waived and the applicant*  
 7 *is successful in passing the licensing examination, ~~they are limited~~*  
 8 *to—~~serving the applicant may only serve~~ as a nursing home*  
 9 *administrator in a currently—~~established~~ licensed facility that is*  
 10 *owned and operated by the applicant's church or religious*  
 11 *denomination and that remains in good standing with the*  
 12 *department. Prior to beginning a program-approved AIT Program,*  
 13 *the applicant may apply to the department for preapproval of the*  
 14 *waiver.*

15 SEC. 2. Section 1416.55 of the Health and Safety Code is  
 16 amended to read:

17 1416.55. (a) An Administrator-in-Training Program (AIT  
 18 Program) shall be developed by the NHAP, in consultation with  
 19 representatives from the long-term care industry and advocacy  
 20 groups. The AIT Program shall include, but not be limited to, all  
 21 of the following areas of instruction:

- 22 (1) Orientation.
- 23 (2) Administration and business office.
- 24 (3) State and federal regulations governing long-term care  
 25 facilities.
- 26 (4) Residents' rights and abuse prevention.
- 27 (5) Staffing requirements and workforce retention.
- 28 (6) Nursing services.
- 29 (7) Resident activities.
- 30 (8) Resident care.
- 31 (9) Social services.
- 32 (10) Dietary management.
- 33 (11) Environmental care, including housekeeping, laundry, and  
 34 maintenance.
- 35 (12) Financial management.
- 36 (13) General management.
- 37 (14) Government regulations.
- 38 (15) Legal management.
- 39 (16) Personnel management and training.
- 40 (17) Consultants and contracts.

1 (18) Medical records.

2 (19) Public relations and marketing.

3 (b) A person who seeks to satisfy requirements for admission  
4 to licensure examinations through participation in an AIT Program  
5 shall first receive approval to begin the AIT Program. An applicant  
6 shall successfully complete the AIT Program in a  
7 program-approved facility under the coordination, supervision,  
8 and teaching of a preceptor who has obtained certification from  
9 the program and continues to meet the qualifications set forth in  
10 the rules and regulations of the program.

11 (c) In order to be eligible for the AIT Program, an applicant  
12 shall submit an application package on forms provided by the  
13 NHAP, and pay the applicable fees established by this chapter.  
14 The applicant shall be at least 18 years of age.

15 (d) In addition to the requirements in subdivision (c), the  
16 applicant shall meet one or a combination of the following  
17 requirements to be eligible for the AIT Program:

18 (1) A doctorate degree in medicine and a current valid license  
19 as a physician and surgeon with at least 10 years of recent work  
20 experience.

21 (2) A baccalaureate degree.

22 (3) Ten years of full-time work experience and a current valid  
23 license as a registered nurse. At least the most recent five years of  
24 the 10 years of work experience shall be in a supervisory or director  
25 of nursing position.

26 (4) Ten years of full-time work experience in any department  
27 of a skilled nursing facility, an intermediate care facility, or an  
28 intermediate care facility/developmentally disabled with at least  
29 60 semester units (or 90 quarter units) of college or university  
30 courses. At least the most recent five years of the 10 years of work  
31 experience shall be in a position as a department manager.

32 (5) Ten years of full-time hospital administration experience in  
33 an acute care hospital with at least 60 semester units (or 90 quarter  
34 units) of college or university courses. At least the most recent  
35 five years of the 10 years of work experience shall be in a  
36 supervisory position.

37 (e) The applicant shall submit an official transcript that  
38 evidences the completion of required college or university courses,  
39 degrees, or both. ~~Applicants~~ *An applicant who is a member of a*  
40 *recognized church or religious denomination whose teachings*

1 *historically prohibit the acquisition of the formal education that*  
2 *would otherwise be required to qualify the applicant for the AIT*  
3 *Program* may request a written waiver of the education  
4 requirements from the department.

5 (f) An applicant who qualifies for the AIT Program on the basis  
6 of work experience shall submit a declaration signed under penalty  
7 of perjury verifying his or her work experience. This declaration  
8 shall be signed by a licensed nursing home administrator, physician  
9 and surgeon, chief of staff, director of nurses, or registered nurse  
10 who can attest to the applicant's work experience.