



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 16

**Assembly
Amendment 1**

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Assembly Bill 16 (AB 16) changes requirements for nursing home administrator licenses issued by the Nursing Home Administrator Examining Board (Examining Board). In particular, AB 16 makes changes, affected by the amendment, to examination requirements for licensure. The bill also creates an exemption from license requirements, affected by the amendment, for persons who act as an administrator of a nursing home operated by adherents of a church or religious denomination that subscribes to healing by prayer rather than medical treatment. Finally, AB 16 changes requirements for reciprocal nursing home administrator licenses, i.e., the requirements that a person licensed by another state or another licensing jurisdiction must meet to be eligible for a reciprocal nursing home administrator license, which are unaffected by the amendment and therefore not discussed in this memo.

Examination Requirements for Licensure

AB 16 changes examination requirements for a nursing home administrator license in two areas: the education requirement and the supervised practical experience requirement.

- Education requirement: *Current law* requires a person to complete a regular course of study, equivalent specialized courses, or a program of study considered adequate preparation by the Examining Board, before taking the examination for licensure. Under *AB 16*, the applicant must have either a bachelor's, master's, or doctoral degree with a major in health care administration or long-term care from an accredited college or university; or a bachelor's degree in any field from an accredited college or university and completion of a specialized course that the Examining Board determines is adequate.
- Supervised practical experience requirement: *Current law* requires the Examining Board to develop and enforce standards for the supervised practical experience and a person may satisfy the requirement before or after taking the examination. Under *AB 16*, the person must satisfy the supervised practical experience requirement before taking the examination, and the requirements must include at least 2,000 hours in any consecutive three-year period within the five-year period

immediately preceding the date of application for examination in an internship, administrator-in-training program, or any other structured program approved by the Examining Board.

Assembly Amendment 1 addresses whether persons currently studying to become a nursing home administrator should face new requirements—in particular, the education requirement and the supervised practical experience requirement—before they could be licensed. The amendment creates exceptions from both the education requirement and the supervised practical experience requirement that allows an otherwise qualified person to take the examination if the person was enrolled, at any time within the two-year period before the amendment’s effective date, in a regular course of study, equivalent specialized courses or a program of study that the Examining Board had considered adequate preparation at that time. Under these exceptions, for such a person to receive a nursing home administrator license, the following requirements would apply:

- Education requirement: Such a person must complete the regular course of study, specialized courses, or program of study described in the previous paragraph no later than two years after the effective date of the amendment.
- Supervised practical experience requirement: Such a person must complete, no later than two years after the amendment’s effective date, either:
 - One year of supervised practical experience as specified in rules promulgated by the Examining Board, if enrolled in specialized courses or a program of study; or
 - A supervised clinical practicum as specified in rules promulgated by the Examining Board, if enrolled in a regular course of study.

Exemption From Nursing Home Administrator License Requirements

AB 16 creates an exemption from nursing home administrator license requirements for “a nursing home administrator of a nursing home operated by adherents of a church or religious denomination which subscribes to the act of healing by prayer and the principles of which are opposed to medical treatment.” This exemption results in ambiguity as to whether an administrator for such a nursing home could use the designation “nursing home administrator” without being licensed.

Assembly Amendment 1 removes this ambiguity by clarifying that the exemption from nursing home administrator license requirements applies to “a person who acts **in the capacity of** an administrator of a nursing home operated by adherents of a church or religious denomination which subscribes to the act of healing by prayer and the principles of which do not include medical treatment, **if the person does not use in connection with his or her name any title or designation tending to imply that the person is a nursing home administrator.**” [Emphasis added.]

Legislative History

On February 19, 2004, the Assembly Committee on Aging and Long-Term Care offered Assembly Amendment 1; recommended adoption of Assembly Amendment 1 by a vote of Ayes, 12, Noes, 0; and recommended passage of 2003 AB 16, as amended, by a vote of Ayes, 12, Noes, 0.