

## No. 121

## AN ACT

SB 386

Amending the act of April 9, 1929 (P.L.177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating the State Board of Examiners of Nursing Home Administrators as a departmental administrative board in the Department of State.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. So much as relates to the Department of State of section 202, act of April 9, 1929 (P.L.177), known as "The Administrative Code of 1929," amended June 3, 1963 (P.L.63) and August 14, 1963 (P.L.865), is amended to read:

Section 202. Departmental Administrative Boards, Commissions, and Offices.—The following boards, commissions, and offices are hereby placed and made departmental administrative boards, commissions, or offices, as the case may be, in the respective administrative departments mentioned in the preceding section, as follows:

In the Department of State,  
State Employes' Retirement Board,  
Commissioner of Professional and Occupational Affairs,  
State Real Estate Commission,  
State Board of Medical Education and Licensure,  
State Board of Pharmacy,  
State Dental Council and Examining Board,  
State Board of Optometrical Examiners,  
State Board of Osteopathic Examiners,  
State Board of Nurse Examiners,  
State Board of Barber Examiners,  
State Board of Cosmetology,  
State Board of Veterinary Medical Examiners,  
State Board of Chiropractic Examiners,  
State Board of Podiatry Examiners,

State Board of Examiners of Public Accountants,  
State Board of Examiners of Architects,  
State Registration Board for Professional Engineers,  
State Board of Funeral Directors,

*State Board of Examiners of Nursing Home Administrators.*

\* \* \*

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act.

Section 2. The act is amended by adding after section 469, a new section to read:

*Section 470. State Board of Examiners of Nursing Home Administrators.—(a) There is hereby created the State Board of Examiners of Nursing Home Administrators, consisting of eleven members, as follows: six members shall be nursing home administrators, (two from not-for-profit facilities, two from operated-for-profit facilities, and two from county facilities); three members who have been actively involved with the care of chronically ill and infirm aged patients and who represent professions or occupations other than nursing home administration such as medicine, nursing, hospital administration; one member representative of the consumer; and the Secretary of Public Welfare, ex officio. The members of the initial board who are nursing home administrators shall be required only to possess the qualifications and be eligible for licensure as nursing home administrators. No more than three of the members of the board shall be officials or full-time employes of State or local governments. Any member of the board who has a change in the status for which he was appointed shall continue as a member for the remainder of his term. All members of the board shall be citizens of the United States and shall be residents of this Commonwealth. Nursing home administrators appointed to the initial board shall be issued licenses without examination and without satisfying any other requirements, provided they meet the age, citizenship and good moral character criteria as provided in the Nursing Home Administrators License Act.*

*(b) Three members of the initial board shall be appointed for a one-year term of office; three members of the initial board shall be appointed for a two-year term of office; and four members of the initial board shall be appointed for a three-year term of office. Thereafter, the term of office for each member of the board shall be three years. No member shall serve more than two consecutive full terms except that terms of initial board members of less than three years shall not be considered full term.*

*(c) Appointments to the board shall be made by the Governor, by and with the advice and consent of two-thirds of all the members of the Senate, after consultation with the associations and societies*

*appropriate to the disciplines and professions representative of the vacancies to be filled.*

*The Governor may remove any examiner for misconduct, incapacity, incompetence, or neglect of duty after the examiner so charged has been served with a written statement of charges and has been given an opportunity to be heard.*

*Each member shall receive actual traveling expenses and per diem compensation at the rate of thirty dollars (\$30) per day while he is engaged in the performance of his official duties. The board may employ and fix the compensation and duties of necessary personnel to assist it in the performance of its duties.*

*(d) The board shall elect annually from its membership a chairman and vice-chairman.*

*The board shall hold two or more meetings each year. At any meeting a majority shall constitute a quorum.*

*(e) The chairman of the board shall appoint a secretary to the board with the consent of the majority of the members of the board, who shall serve at the pleasure of the board. He shall be the executive officer to the board but shall not be a member of the board. He shall perform such duties as are prescribed by the board.*

Section 3. This act shall take effect immediately.

APPROVED—The 22nd day of June, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 121.



Secretary of the Commonwealth.