

## **216A.070 Duties and powers of board.**

- (1) The board shall:
  - (a) Develop, impose, and enforce standards which must be met by individuals in order to receive a license as a long-term care administrator, which standards shall be designed to ensure that long-term care administrators will be individuals who are of good character and are otherwise suitable, and who, by training or experience in the field of institutional administration, are qualified to serve as nursing home administrators;
  - (b) Develop and apply appropriate techniques, including examinations and investigations, for determining whether an individual meets the standards;
  - (c) Issue licenses to individuals determined, after application of appropriate techniques, to meet established standards;
  - (d) Establish and carry out procedures designed to ensure that individuals licensed as long-term care administrators will, during any period that they serve as such, comply with the requirements of the standards;
  - (e) Receive, investigate, and take appropriate action with respect to any charge or complaint filed with the board to the effect that any individual licensed as a nursing home administrator has failed to comply with the requirements of the standards; and
  - (f) Apply commensurate disciplinary action, following a hearing pursuant to KRS Chapter 13B, including permanent license revocation, suspension, or placement of probationary conditions on the licensee, issuance of a fine not to exceed two thousand dollars (\$2,000) per violation, or admonishing the licensee.
- (2) The board or any committee or member thereof or any hearing officer designated by the board, acting in an official capacity, shall have the authority to conduct administrative hearings in accordance with KRS Chapter 13B concerning all matters within the jurisdiction of the board.
- (3) The board shall also have the authority to promulgate administrative regulations necessary for the proper performance of its duties, and to take other actions necessary to enable the state to meet the requirements set forth in Section 1908 of the Social Security Act, the federal rules and regulations promulgated thereunder, and other pertinent federal authority or amendment thereto.
- (4) The board may, when emergency conditions warrant, as determined by the board, authorize the issuance of a temporary permit to an individual to practice the art of long-term care administration if it finds the authorization will not endanger the health and safety of the occupants of the licensed long-term care facility. A temporary permit shall be valid for a period determined by the board not to exceed six (6) months and shall not be renewed. The fee for a temporary permit shall be determined by regulations of the board.

**Effective:** July 12, 2012

**History:** Amended 2012 Ky. Acts ch. 129, sec. 7, effective July 12, 2012; and ch. 158, sec. 61, effective July 12, 2012. -- Amended 1996 Ky. Acts ch. 318, sec. 120, effective July 15, 1996. -- Created 1970 Ky. Acts ch. 276, sec. 7.

**Legislative Research Commission Note (7/12/2012).** This statute was amended by 2012 Ky. Acts chs. 129 and 158, which do not appear to be in conflict and have been codified together.