

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 686

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SMITH (150) (Sponsor) AND TILLEY (Co-sponsor).

Read 1st time January 31, 2007 and copies ordered printed.

Read 2nd time February 1, 2007 and referred to the Special Committee on Senior Citizen Advocacy February 13, 2007.

Reported from the Special Committee on Senior Citizen Advocacy February 13, 2007 with recommendation that the bill Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

Reported from the Committee on Rules March 7, 2007 with recommendation that the bill Do Pass by Consent.

Perfected by Consent March 14, 2007.

D. ADAM CRUMBLISS, Chief Clerk

1798L.01P

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### AN ACT

To repeal section 344.070, RSMo, and to enact in lieu thereof one new section relating to nursing home administrators.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 344.070, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 344.070, to read as follows:

344.070. 1. The board shall annually elect one of its members as president, another as vice president, and another as secretary. It shall adopt an official seal. It shall file and preserve all written applications, petitions, complaints, charges or requests made or presented to it. It shall cause to be kept accurate records and minutes of its proceedings, and shall maintain a register of the names and addresses of all persons holding licenses as nursing home administrators. A copy of any entry in the register, or of any records or minutes of the board, certified by the president or secretary of the board under its seal, shall be received in evidence, to all intents and purposes as the original. The board may employ such part- or full-time clerical

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 assistance, purchase such equipment and supplies, employ legal counsel, employ a part- or  
10 full-time investigator, and incur travel and other expense, within the limits of its appropriations.

11 2. The board shall adopt, amend and repeal rules and regulations necessary to carry out  
12 the provisions of sections [344.030] **344.020** to 344.100. Any rule or regulation under the  
13 authority of sections [344.030] **344.020** to 344.100 shall be promulgated in accordance with  
14 chapter 536, RSMo. The committee on administrative rules may file a complaint in accordance  
15 with the provisions of chapter 536, RSMo, before the commission contesting the validity of any  
16 rule purportedly promulgated under the authority of sections [344.030] **344.020** to 344.100. On  
17 filing any complaint in accordance with this section, the administrative hearing commission shall  
18 immediately suspend that portion of the rule which is challenged until the commission has  
19 determined the matter. The commission shall hold a hearing within ten days of the filing to  
20 determine the matter. No rule or portion of a rule promulgated under the authority of this chapter  
21 shall become effective unless it has been promulgated pursuant to the provisions of section  
22 536.024, RSMo.

23 3. The board shall examine, license, and renew the license of duly qualified applicants,  
24 and shall conduct hearings affording due process of law, upon charges calling for discipline of  
25 a licensee. The board shall refer to the appropriate prosecuting attorney information regarding  
26 any persons violating the provisions of sections 344.010 to 344.100 and may incur necessary  
27 expenses therefor.

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