

PUBLIC HEALTH CODE (EXCERPT)

Act 368 of 1978

PART 173

333.17301 Definitions; principles of construction.

Sec. 17301. (1) As used in this part:

(a) "Nursing home" means that term as defined in section 20109.

(b) "Nursing home administrator" means the individual licensed under this article to engage in the practice of nursing home administration.

(c) "Practice of nursing home administration" means planning, organizing, directing, and controlling the total operation of the nursing home on behalf of the governing board or owner of a nursing home.

(2) In addition to the definitions of this part, article 1 contains general definitions and principles of construction applicable to all articles in this code and part 161 contains definitions applicable to this part.

History: Add. 2001, Act 139, Imd. Eff. Oct. 26, 2001.

Popular name: Act 368

333.17303 Representation as nursing home administrator.

Sec. 17303. A person shall not represent that he or she is a nursing home administrator or use a title including "nursing home administrator" or an abbreviation of that term or similar words that would indicate that he or she is licensed under this article unless the person is licensed under this article as a nursing home administrator.

History: Add. 2001, Act 139, Imd. Eff. Oct. 26, 2001.

Popular name: Act 368

333.17305 Board of nursing home administrators; creation; membership; terms.

Sec. 17305. (1) Subject to section 17319(2), the Michigan board of nursing home administrators is created in the department and consists of the following 9 voting members who meet the requirements of part 161:

(a) Six nursing home administrators.

(b) Three public members.

(2) The terms of office of individual members of the board created under subsection (1), except those appointed to fill vacancies, expire 4 years after appointment on June 30 of the year in which the term expires.

History: Add. 2001, Act 139, Imd. Eff. Oct. 26, 2001;—Am. 2006, Act 389, Imd. Eff. Sept. 27, 2006.

Popular name: Act 368

333.17307 Operation of nursing home; practice of nursing home administrator.

Sec. 17307. (1) In addition to the requirements of section 21720, a nursing home shall not operate except under the direction of a nursing home administrator.

(2) A person shall not engage in the practice of nursing home administration unless the person is the holder of a valid nursing home administrator's license issued under this part.

History: Add. 2001, Act 139, Imd. Eff. Oct. 26, 2001.

Popular name: Act 368

333.17309 License; issuance; requirements.

Sec. 17309. (1) The department shall issue a license as a nursing home administrator to a person who fulfills the requirements of this section or section 17315.

(2) An applicant for licensure as a nursing home administrator shall have satisfactorily completed a course of instruction and training approved by the department, which course shall be designed as to content and be administered as to present sufficient knowledge of the following:

(a) The needs properly to be served by a nursing home.

(b) The laws governing the operation of a nursing home and the protection of the interests of a patient in a nursing home.

(c) The elements of good nursing home administration.

(3) An applicant for licensure as a nursing home administrator shall present evidence satisfactory to the department of sufficient education and training in the fields of study described in subsection (2) or shall have been employed as a chief executive or administrative officer at a hospital licensed under article 17 for not less than 5 of the 7 years immediately preceding the date of application for a license under this part.

(4) Subject to section 16178, an applicant for licensure as a nursing home administrator shall also present evidence acceptable to the department of having passed an examination acceptable to the board and the

department. The examination shall be designed to test for competence in the fields of study described in subsection (2).

(5) An applicant for licensure as a nursing home administrator shall be of good moral character and meet any additional qualifications as may be required by rule of the department and board.

History: Add. 2001, Act 139, Imd. Eff. Oct. 26, 2001.

Popular name: Act 368

333.17311 Insufficient courses or training sessions; approval of course.

Sec. 17311. (1) If the department and board find that there are not a sufficient number of courses of instruction and training sufficient to meet the requirements of this part conducted within this state, the department may conduct 1 or more of those courses or training sessions, or both. The department shall ensure that a course or training session conducted under this subsection is reasonably accessible to a resident of this state.

(2) The department and board may approve a course of instruction or a training session conducted within or without this state if the department determines that it is sufficient to meet the education and training requirements of this part.

History: Add. 2001, Act 139, Imd. Eff. Oct. 26, 2001.

Popular name: Act 368

333.17313 License renewal; continuing education required.

Sec. 17313. (1) Subject to sections 16201 and 16204, the department shall not issue a renewal license unless the licensee presents satisfactory evidence to the department that the licensee has participated in continuing education courses of not less than 18 clock hours' duration approved by the board and department, for each year subsequent to the expiration of the individual's last license.

(2) The continuing education courses required under subsection (1) shall contain subjects related to the practice of nursing home administration acceptable to the board and the department.

History: Add. 2001, Act 139, Imd. Eff. Oct. 26, 2001.

Popular name: Act 368

333.17315 Nursing home administrator of Christian Science nursing home; limited license.

Sec. 17315. (1) Subject to section 16182, this part or a rule promulgated under this part shall not require an applicant for a limited license as a nursing home administrator of a Christian Science nursing home to meet a medical educational qualification or to pass an examination on medical subjects.

(2) A license issued under this section shall describe its limitation.

History: Add. 2001, Act 139, Imd. Eff. Oct. 26, 2001.

Popular name: Act 368

333.17317 Out-of-state license; requirements.

Sec. 17317. Subject to section 16186, the department may issue a nursing home administrator's license, without examination, to an individual who holds a current license as a nursing home administrator from another state if the applicant passes an examination approved by the department and the board which tests the individual's knowledge of law relating to practice in Michigan.

History: Add. 2001, Act 139, Imd. Eff. Oct. 26, 2001.

Popular name: Act 368

333.17319 Individual licensed under former article 19 of occupational code; members of nursing home administrators' board created under former section 1902 of occupational code; rules.

Sec. 17319. (1) An individual who holds a license issued under former article 19 of the occupational code, 1980 PA 299, on the effective date of the amendatory act that added this part is licensed under this part until that license expires and may renew his or her license pursuant to part 161.

(2) The members of the nursing home administrators' board created under former section 1902 of the occupational code, 1980 PA 299, shall serve as the initial members of the nursing home administrators' board created in section 17305 until their successors are appointed under this article or until the expiration of their respective terms, whichever occurs first. However, if the term of a member of the nursing home administrators' board has not expired on the effective date of the amendatory act that added this part, that term expires on June 30 of the year in which the term will expire.

(3) Rules promulgated by the nursing home administrators' board, the department, or the director under

former article 19 of the occupational code, 1980 PA 299, and in effect on the effective date of the amendatory act that added this part continue in effect to the extent that they do not conflict with this article and shall continue to be enforced. The rules may be amended or rescinded by the director.

History: Add. 2001, Act 139, Imd. Eff. Oct. 26, 2001.

Popular name: Act 368