

CHAPTER 17—H.F.No. 454

An act relating to health; modifying requirements for nursing home administrators; amending Minnesota Statutes 1998, section 144A.04, subdivisions 5 and 7a.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1998, section 144A.04, subdivision 5, is amended to read:

Subd. 5. **ADMINISTRATORS.** Except as otherwise provided by this subdivision, a nursing home must have a full time licensed nursing home administrator serving the facility. Notwithstanding sections 144A.18 to 144A.27, in any nursing home of less than 31 32 beds, the director of nursing services may also serve as the licensed nursing home administrator without being licensed as a nursing home administrator, provided the director of nursing services has passed the state law and rules examination administered by the board of examiners for nursing home administrators and maintains evidence of completion of 20 hours of continuing education each year on topics pertinent to nursing home administration. Two nursing homes under common ownership or management pursuant to a lease or management contract having a total of 150 beds or less and located within 75 miles of each other may share the services of a licensed administrator if the administrator divides the full-time work week between the two facilities in proportion to the number of beds in each facility. Every nursing home shall have a person-in-charge on the premises at all times in the absence of the licensed administrator. The name of the person in charge must be posted in a conspicuous place in the facility. The commissioner of health shall by rule promulgate minimum education and experience requirements for persons-in-charge, and may promulgate rules specifying the times of day during which a licensed administrator must be on the nursing home's premises. In the absence of rules adopted by the commissioner governing the division of an administrator's time between two nursing homes, the administrator shall designate and post the times the administrator will be on site in each home on a regular basis. A nursing home may employ as its administrator the administrator of a hospital licensed pursuant to sections 144.50 to 144.56 if the individual is licensed as a nursing home administrator pursuant to section 144A.20 and the nursing home and hospital have a combined total of 150 beds or less and are located within one mile of each other. A nonproprietary retirement home having fewer than 15 licensed nursing home beds may share the services of a licensed administrator with a nonproprietary nursing home, having fewer than 150 licensed nursing home beds, that is located within 25 miles of the retirement home. A nursing home which is located in a facility licensed as a hospital pursuant to sections 144.50 to 144.56, may employ as its administrator the administrator of the hospital if the individual meets minimum education and long term care experience criteria set by rule of the commissioner of health.

Sec. 2. Minnesota Statutes 1998, section 144A.04, subdivision 7a, is amended to read:

Subd. 7a. **DIRECTOR OF NURSING SERVICES.** Except as otherwise provided by this subdivision and subdivision 5, a nursing home must have a full-time director of nursing services who is assigned full time to the nursing services of the nursing home. For nursing homes with less than 32 beds, the director of nursing services may also serve as the licensed nursing home administrator without being licensed by the board of exam-

New language is indicated by underline, deletions by ~~strikeout~~.

ers for nursing home administrators under sections 144A.19 to 144A.27. For purposes of this requirement, "full time" means working at least 35 hours per week. The director of nursing services of a nursing home may also serve as the director of nursing services of a physically attached hospital if:

- (1) the hospital has an average daily census of ten patients or less in the most recent reporting year for which data is available;
- (2) the total combined beds of the hospital and nursing home do not exceed 100; and
- (3) the management of the two facilities is under the control and direction of the same governing body.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor March 16, 1999

Signed by the governor March 18, 1999, 1:48 p.m.

CHAPTER 18—S.F.No. 649

An act relating to health; modifying the definition of public water supply; amending Minnesota Statutes 1998, section 144.382, subdivision 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1998, section 144.382, subdivision 4, is amended to read:

Subd. 4. **PUBLIC WATER SUPPLY.** "Public water supply" means a system providing piped water for human consumption, and either containing a minimum of 15 service connections or 15 living units, or serving an average of 25 persons daily for 60 days of the year. "Public water supply" includes a collection, treatment, storage, and distribution facility under control of an operator and used primarily in connection with the system, and a collection or pretreatment storage facility used primarily in connection with the system but not under control of an operator has the meaning given to "public water system" in the federal Safe Drinking Water Act, United States Code, title 42, section 300f, clause (4).

Presented to the governor March 22, 1999

Signed by the governor March 25, 1999, 10:10 a.m.

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