

No. 1987-38

AN ACT

SB 45

Amending the act of June 22, 1970 (P.L.378, No.122), entitled "An act concerning nursing homes; providing for the licensing of persons charged with the general administration of such homes; prescribing the powers and duties of the State Board of Examiners of Nursing Home Administrators; fixing fees and making certain acts unlawful," further providing for functions and duties of the board.

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

Section 1. Section 4(a)(9) of the act of June 22, 1970 (P.L.378, No.122), known as the Nursing Home Administrators License Act, added December 20, 1985 (P.L.375, No.106), is amended to read:

Section 4. Functions and Duties of the Board.—(a) It shall be the function and duty of the board:

* * *

(9) To develop standards of professional **[conduct] practice and standards of professional conduct** appropriate to establish and maintain a high level of integrity and performance in the practice of nursing home administration. *The board shall, not later than July 1, 1988, initiate the promulgation of regulations establishing such standards of professional practice and standards of professional conduct, provided that nothing in this clause shall restrict the imposition of penalties or disciplinary action pursuant to section 11 or 12 prior to final approval of such regulations pursuant to the act of June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review Act."*

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Section 2. Section 12(a)(5) of the act, added December 20, 1985 (P.L.375, No.106), is amended and the subsection is amended by adding a clause to read:

Section 12. Disciplinary Proceedings.—(a) The license and/or registration of any person practicing or offering to practice nursing home administration may be revoked or suspended, or such licensee may be reprimanded, censured or otherwise disciplined in accordance with the provisions of this section upon decision and after due hearing in any of the following cases:

* * *

(5) *Upon proof that such licensee has engaged in unprofessional conduct. Unprofessional conduct shall include departure from or failure to conform to an ethical or quality standard of the profession.*

[5] (6) Having a license to practice nursing home administration revoked or suspended or having other disciplinary action imposed or consenting to the imposition of such other disciplinary action by the proper licensing authority of another state, territory or country or having his appli-

cation for license refused, revoked or suspended by the proper licensing authority of another state, territory or country.

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Section 3. Beginning 30 days after the effective date of this act and every 30 days thereafter until such regulations have been promulgated, the Commissioner of Professional and Occupational Affairs shall report, in writing, to the Professional Licensure Committee of the House of Representatives and the Consumer Protection and Professional Licensure Committee of the Senate on the status of the regulations relating to standards of professional practice and standards of professional conduct.

Section 4. This act shall take effect immediately.

APPROVED—The 9th day of July, A. D. 1987.

ROBERT P. CASEY