

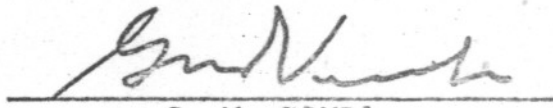
ELEVENTH GUAM LEGISLATURE
1971 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 73, "An Act to add Chapter 11 to Title XXVIII of the Government Code of Guam requiring that nursing home administrators be licensed, and for related purposes", was on the 29th day of March, 1971, was duly and regularly passed.


F. T. RAMIREZ
Speaker

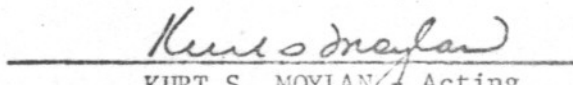
ATTESTED:


G. M. BAMBA
Legislative Secretary

This Act was received by the Governor this 13th day
of April, 1971 at 1:00 o'clock P. M.


VINCENT T. PEREZ
Attorney General of Guam

APPROVED:


KURT S. MOYLAN, Acting
Governor of Guam

DATED: APR 23 1971
5:00 P.M.

Public Law
11-26

Bill No. 73

Introduced by _____
G. M. Bamba

AN ACT TO ADD CHAPTER 11 TO TITLE XXVIII
OF THE GOVERNMENT CODE OF GUAM REQUIRING
THAT NURSING HOME ADMINISTRATORS BE
LICENSED, AND FOR RELATED PURPOSES.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

2 Section 1. Chapter 11 is hereby added to Title XXVIII of
3 the Government Code of Guam to read as follows:

4 "CHAPTER 11

5 Nursing Home Administrators

6 Section 27930.1. Definitions. As used in this

7 Act:

8 (a) 'Nursing home' means an institution,
9 private home, other place, or part or unit thereof,
10 however named, whether for profit or not, including
11 facilities operated by the government of Guam,
12 which is advertised, offered, maintained or
13 operated for the express or implied purpose of
14 providing accommodations and nursing or related
15 health care for two or more individuals not
16 related to the owner or administrator by blood
17 or marriage within the third degree of con-
18 sanguinity, which accommodations and care are
19 for a period of twenty-four or more consecutive
20 hours, but shall not include any place providing
21 care and treatment primarily for the acutely ill.

22 (b) 'Nursing home administrator' means the
23 individual responsible to the governing board or
24 owner of the nursing home for planning, organiz-
25 ing, directing and controlling the total opera-
26 tion of the nursing home.

1 Section 27930.2. Administrator's license required.
2 No nursing home shall operate except under the supervi-
3 sion of a nursing home administrator, and no person
4 shall be a nursing home administrator unless he is the
5 holder of a sufficient nursing home administrator's
6 license issued pursuant to this Act.

7 Section 27930.3. Licensing function of the
8 Commission relating to nursing administrators. The
9 Commission on Licensure shall license nursing home
10 administrators in accordance with rules and regulations
11 issued and, from time to time revised by it. A nursing
12 home administrator's license shall be nontransferable
13 and shall be valid for two years or until surrendered
14 for cancellation or suspended or revoked by the
15 Commission on Licensure for violation of this Act
16 or any other laws or regulations relating to the
17 proper operation of a nursing home. Any denial of
18 issuance or renewal, suspension or revocation shall
19 be subject to review upon the timely request of the
20 licensee and pursuant to Administrative Adjudication
21 Act.

22 Section 27930.4. Qualifications for licensure.
23 In order to be eligible for a license pursuant to this
24 Act, a person shall:

25 (1) Be not less than twenty-one years
26 of age, of good moral character, and physically
27 and emotionally capable of administering a
28 nursing home.

29 (2) Have satisfactorily completed a
30 course of instruction and training approved
31 by the Commission on Licensure, which course
32 shall be so designed as to content and so

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29 (2) Have satisfactorily completed a
30 course of instruction and training approved
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32 shall be so designed as to content and so

1 administered as to present sufficient
2 knowledge of the needs properly to be
3 served by nursing homes; laws governing
4 the operation of nursing home and the pro-
5 tection of the interests of patients therein,
6 and the elements of good nursing home adminis-
7 tration; or have presented evidence satisfactory
8 to the Commission on Licensure of sufficient
9 education and training in the foregoing fields.

10 (3) Have passed an examination adminis-
11 tered by the Commission on Licensure and designed
12 to test for competence in the subject matter
13 referred to in Item 2 thereof or have completed
14 five years of actual administration of hospitals
15 or nursing homes.

16 (4) Have such additional qualifications as
17 may be required by the Commission on Licensure
18 for a license.

19 Section 27930.5. Licensure in other jurisdictions.

20 The Commission on Licensure may issue a nursing home
21 administrator's license, without examination, to any
22 person who holds a current license as a nursing home
23 administrator from another jurisdiction: provided that
24 the Commission on Licensure finds that the standards
25 for licensure in such other jurisdiction are at least
26 the substantial equivalent of those prevailing in this
27 territory, and that the applicant is otherwise qualified.

28 Section 27930.6. Courses of instruction and
29 training. If the Commission on Licensure finds that
30 there are not a sufficient number of courses of in-
31 struction and training sufficient to meet the require-
32 ments of this Act conducted within the territory, it

1 may conduct one or more such courses, and shall make
2 provisions for such courses and their accessibility
3 to residents of this territory. The Commission on
4 Licensure may approve courses conducted within this
5 territory as sufficient to meet the education and
6 training requirements of this Act.

7 Section 27930.7. Present administrators. Persons.
8 who, on the effective date of this Act, has been actively
9 engaged as nursing home administrators for at least two
10 years next preceding such effective date, and who do
11 not meet the requirements in force pursuant to Section
12 27930.4, shall be issued a temporary license without
13 the need to present evidence of satisfactory completion
14 of a course of instruction and training and without
15 examination, but any such licenses shall expire no
16 later than June 30, 1973.

17 Every holder of a Nursing Home Administrator's
18 License shall renew it biennially by making application
19 to the Commission on Licensure on forms provided by the
20 Commission. Such renewals shall be granted as a matter
21 of course, unless the Commission finds that the appli-
22 cant has acted or failed to act in such a manner or
23 under such circumstances as would constitute grounds
24 for suspension or revocation of a license."

25 Section 2. This Act shall take effect on its approval.

26 Section 3. This Act is an urgency measure.