

BEFORE THE BOARD OF NURSING HOME ADMINISTRATORS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of)	NOTICE OF AMENDMENT,
ARM 24.162.415 general)	ADOPTION, AND REPEAL
requirements, 24.162.420 fee)	
schedule, 24.162.502 military training)	
or experience, 24.162.504)	
examinations, 24.162.510 reciprocity)	
licenses, 24.162.515 inactive license,)	
and 24.162.2105 continuing)	
education, the adoption of NEW)	
RULE I nonroutine applications, and)	
the repeal of ARM 24.162.401)	
quorum, 24.162.403 submittals and)	
requests, 24.162.407 record of)	
minutes and hearings, 24.162.408)	
application denial, 24.162.409)	
hearings or proceedings, 24.162.509)	
reinstatement, and 24.162.2101)	
renewals)	

TO: All Concerned Persons

1. On July 22, 2016, the Board of Nursing Home Administrators (board) published MAR Notice No. 24-162-40 regarding the public hearing on the proposed amendment, adoption, and repeal of the above-stated rules at page 1222 of the 2016 Montana Administrative Register, Issue No. 14.

2. On August 15, 2016, a public hearing was held on the proposed amendment, adoption, and repeal of the above-stated rules in Helena. One comment was received by the August 19, 2016, deadline.

3. The board has thoroughly considered the comment received. A summary of the comment and the board response are as follows:

COMMENT 1: Several commenters asserted that the proposed changes to ARM 24.162.415(1) requiring licensees to display their licenses in the facility served by that licensee along with "evidence of current validation" of the license was either unclear or duplicative. The commenters noted that the displayed license includes the licensee's name, license status, and expiration date, and asked the board to either define "evidence of current validation" or delete the language. The commenters believed it is unnecessary and impractical for licensees to carry evidence of current license validation in their possession at all times. The commenters stated that displaying the license in the facility, as required in the rule, should be sufficient and suggested the board delete this requirement.

RESPONSE 1: The board agreed with the comments and is amending the rule accordingly.

4. The board has amended ARM 24.162.420, 24.162.502, 24.162.504, 24.162.510, 24.162.515, and 24.162.2105 exactly as proposed.

5. The board has adopted NEW RULE I (24.162.503) exactly as proposed.

6. The board has repealed ARM 24.162.401, 24.162.403, 24.162.407, 24.162.408, 24.162.409, 24.162.509, and 24.162.2101 exactly as proposed.

7. The board has amended ARM 24.162.415 with the following changes, stricken matter interlined, new matter underlined:

24.162.415 GENERAL REQUIREMENTS (1) The license, together with evidence of current validation, shall be conspicuously displayed within the facility served by the licensee, ~~and the licensee shall have evidence of current validation in the licensee's possession at all times.~~

(2) remains as proposed.

BOARD OF NURSING HOME
ADMINISTRATORS
KATHRYN BEATY, BOARD CHAIR

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ PAM BUCY
Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State October 17, 2016