

# HOUSE BILL 55

HOUSE BILL 55

Title:

AN ACT to create W.S. 35-2-119; and to amend W.S. 35-2-101 relating to nursing homes; authorizing the suspension of new admissions and the suspension or revocation of a license for specified conditions; providing for a hearing; providing for appeals; redefining W.S. 35-2-101 through 35-2-112 to include W.S. 35-2-119; and providing for an effective date.

Introduced by:

*Ray L. Smith*  
*Elizabeth Phelan*

DATE	ACTION	DATE	ACTION
JAN 14 1981	READ FIRST TIME	1-27-81	STANDING COMM. REPORT
	REFERRED TO COM. NO. <u>10</u>		DO PASS
	DELIVERED TO COM. NO. <u>10</u>	1-28-81	CONSIDERED AS ONE OF WHOLE
JAN 16 1981	RETURNED		DO PASS
	Reconsidered Amend and Do Pass <u>8 aye 176</u>	1-29-81	READ SECOND TIME
JAN 18 1981	CONSIDERED IN COM OF WHOLE	1-30-81	READ THIRD TIME
	Standing Com. Amendment <u>HB 55 HSI/A</u>		AMENDED AS FOLLOWS <u>HB 55 S31-A</u>
	ADOPTED		PASSED
	Com. of Whole Amendment <u>HB 55 HW1/A</u>		AYES <u>36</u> NOES <u>5</u> EXCUSED <u>0</u> ABSENT <u>0</u>
	ADOPTED		SENT TO HOUSE
	Amended as follows <u>HB 55 HW 2/A CC</u>	FEB 2 1981	Received Amended
	RECOMMENDED DO.....PASS		House did not vote on Senate Amendments
JAN 20 1981	READ SECOND TIME		Ayes <u>45</u> Noes <u>19</u> Excused <u>0</u> Absent <u>0</u>
JAN 21 1981	READ THIRD TIME		RECEIVED FROM SENATE
	PASSED		SENT TO ISO FOR ENROLLING
	Ayes <u>38</u> Noes <u>24</u> Excused <u>0</u> Absent <u>0</u>		RECEIVED FROM ISO ENROLLED
	Sent to Senate		HEA NO. <u>2</u>
1-21-81	Received from House		SIGNED BY SPEAKER <u>2-4-81</u>
	Sent for processing		SIGNED BY PRESIDENT <u>2-4-81</u>
1-22-81	ENGROSSED		APPROVED BY GOVERNOR <u>2-4-81</u> 3:15 pm
	Sent to Senate		CHAPTER NO. <u>2</u> SENATE LAWS CELEBRATED
1-28-81	Received from House		
	Read first time		
	Referred to Com. No. <u>4</u>		
	Delivered to Com. No. <u>4</u>		

# Roll Call of the Senate

of the FORTY-SIXTH LEGISLATURE  
of Wyoming

	Ayes	Noes	Excused	Absent
31 ARNEY	✓			
30 BOYLE	✓			
29 BUSSART	✓			
28 CHRISTENSEN	✓			
<del>27 GUNDALL</del>				
26 DAILY	✓			
25 DOWNING	0	✓		
24 FRISBY		✓		
23 GEIS	✓			
22 HICKEY	✓			
21 LARSON, R.	✓			
20 MAJHANOVICH	✓			
19 MOORE	✓			
18 NICHOLAS	✓			
17 NICHOLS	✓			
16 NORRIS	✓			
15 NORTHRUP	✓			
14 PARKS	✓			
13 PECK	✓			
12 PROFFIT	✓			
11 RECTOR	✓			
10 SADLER	✓			
9 SEDAR	✓			
8 STAFFORD		✓		
7 STROOCK	✓			
6 TAGGART	✓			
5 TRUE	✓			
4 TURNER	✓			
3 YOUTZ	✓			
2 ZIMMER	✓			
1 MR. PRESIDENT		✓		

PRESENT \_\_\_\_\_

AYES	<u>26</u>
NOES	<u>4</u>
EXCUSED	<u>0</u>
ABSENT	<u>0</u>
TOTAL	<u>30</u>

# 91B55Rep Bryant movedTo ConcurSenate Amendments  
**Roll Call of the House****of the FORTY-SIXTH LEGISLATURE  
of Wyoming**

Date

2/2/51

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	✓				30 PHELAN	✓	✓		
62 ASAY	✓				29 PROSSER	✓			
61 BRYANT	✓				28 PUGH	✓			
60 BUDD	✓	✓			27 RATLIFF	✓			
59 <del>BURNETT</del>					26 ROTH		✓		
58 BURNS	✓				25 SALISBURY	✓			
57 BYRD	✓				24 SANDERS	✓			
56 CHAMBERLAIN	✓				23 SCHWOPE	✓			
55 CROSS	✓				22 SCOTT, C	✓			
54 CROWLEY	✓				21 SCOTT, D.	✓			
53 CURRY	✓				20 SHREVE	✓			
52 DONLEY		✓			19 SIDI	✓			
51 DUSL	✓				18 SIMONS		✓		
50 EDWARDS	✓				17 SIMPSON	✓			
49 ESKENS		✓			16 SMITH		✓		
48 GETTER	✓				15 SORENSEN	✓			
47 HANSEN	✓				14 STAUFFER		✓		
46 HEMMERT		✓			13 STEWART	✓			
45 JENSEN	✓	✓			12 STRAND		✓		
44 JONES	✓				11 TARTER	✓			
43 KINNISON	✓				10 THOMPSON	✓			
42 LARSON, T.	✓				9 THORSON	✓			
41 LUMMIS		✓			8 TIPTON	✓			
40 MacMILLAN	✓				7 TROWBRIDGE		✓		
39 MARTON		✓			6 URBIGKIT	✓			
38 McCARTHY		✓			5 VINICH	✓			
37 McILVAIN	✓				4 WALLIS		✓		
36 MEENAN	✓				3 WIEDERSPAHN	✓			
35 MICHELI		✓			2 WINNINGER	✓			
34 MICHIE	✓				1 MR. SPEAKER	✓			
33 MURPHY		✓			PRESENT				
32 ODDE	✓								
31 PERRY		✓							

AYES 43  
 NOES 19  
 EXCUSED \_\_\_\_\_  
 ABSENT \_\_\_\_\_  
 TOTAL 62  
 LESS \_\_\_\_\_

# 76355Thurs ReadingDate 1/21/81

# Roll Call of the House

## of the FORTY-SIXTH LEGISLATURE

### of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	✓				30 PHELAN	✓			
62 ASAY	✓				29 PROSSER	✓			
61 BRYANT	✓				28 PUGH	✓			
60 BUDD	✓	✓			27 RATLIFF	✓			
59 BURNETT					26 ROTH	✓			
58 BURNS	✓				25 SALISBURY	✓	✓		
57 BYRD	✓				24 SANDERS	✓			
56 CHAMBERLAIN	✓				23 SCHWOPE	✓			
55 CROSS	✓	✓			22 SCOTT, C	✓			
54 CROWLEY	✓	✓			21 SCOTT, D.	✓			
53 CURRY	✓				20 SHREVE	✓	✓		
52 DONLEY	✓	✓			19 SIDI	✓	✓		
51 DUSL	✓	✓			18 SIMONS	✓	✓		
50 EDWARDS	✓				17 SIMPSON	✓			
49 ESKENS	✓				16 SMITH		✓		
48 GETTER	✓	✓			15 SORENSEN		✓		
47 HANSEN	✓				14 STAUFFER		✓		
46 HEMMERT	✓	✓			13 STEWART	✓			
45 JENSEN	✓				12 STRAND	✓			
44 JONES	✓	✓			11 TARTER	✓			
43 KINNISON	✓				10 THOMPSON		✓		
42 LARSON, T.	✓				9 THORSON		✓		
41 LUMMIS	✓				8 TIPTON		✓		
40 MacMILLAN	✓				7 TROWBRIDGE	✓			
39 MARTON	✓	✓			6 URBIGKIT	✓			
38 McCARTHY	✓				5 VINICH	✓			
37 McILVAIN	✓	✓			4 WALLIS		✓		
36 MEENAN	✓				3 WIEDERSPAHN	✓			
35 MICHELI	✓	✓			2 WINNINGER		✓		
34 MICHIE	✓				1 MR. SPEAKER	✓			
33 MURPHY	✓				PRESENT				
32 ODDE	✓								
31 PERRY		✓							

AYES 38  
 NOES 21  
 EXCUSED       
 ABSENT       
 TOTAL 62  
 LESS 20  
42

# THE LEGISLATURE OF THE STATE OF WYOMING

## Senate

Cheyenne, January 26, 1981

Mr. President:

Your Committee No. 4 on Education, Health and Welfare  
to whom was referred HB No. 55  
respectfully reports same back to the Senate with the recommendation that  
it DO PASS AS AMENDED BY THE HOUSE.

### AYES

Northrup  
Bussart  
Downing  
Hickey  
Zimmer

Donald Northrup

Chairman

## THE LEGISLATURE OF THE STATE OF WYOMING

## House of Representatives

Cheyenne, ..... January 15, ....., 1981...

HB 55 HS 1  
Mr. Speaker:

Your Committee No. .... 10 ..... on ..... Labor, Health and Social Services .....

to whom was referred ..... H. B. .... No. .... 55 .....

respectfully reports same back to the House with the recommendation that it DO PASS AS

AMENDED:

Page 2 line 6 After "home." Insert "The facility is to be provided an opportunity to abate the condition or conditions and have a hearing prior to suspension of admissions."

AYES

Asay  
Bryant  
Murphy  
Phelan  
Schwope  
Simons ✓  
Thompson  
Sanders

NOES

Michelli




Grant L. Sanders,

Chairman



Message No. 30



Mr. Speaker:

January 30, 1981

The House Bill listed below passed on third reading in an amended form by the vote indicated.

H.B. No. 055 Suspension of nursing home admissions.

HB55S31/A TO ENGROSSED COPY

Page 1-line 1 After "35-2-119" insert "; and to amend W.S. 35-2-101".

Page 1-line 4 After "appeals;" insert "redefining W.S. 35-2-101 through 35-2-112 to include W.S. 35-2-119;".

Page 2-After line 16 insert:

Section 2. W.S. 35-2-101 is amended to read:

35-2-101. Definition; applicability of sections 35-2-101 to 35-2-112 and 35-2-119.

(a) AS USED IN THIS ACT, THIS ACT MEANS W.S. 35-2-101 THROUGH 35-2-112 AND 35-2-119.

(b) Hospital, sanatorium, rest home, nursing home, boarding home, and other related institutions, within the meaning of this act, ~~shall--mean~~ MEANS any institution, place, building or agency in which any accommodation is maintained, furnished or offered for the hospitalization of the sick or injured or care of any persons requiring or receiving chronic or convalescent care, ~~however~~. Nothing in this act shall apply to hotels or other similar places that furnish only board and room, or either, to their guests, nor to hospitals operated by the federal government.

Page 2-line 17 Delete "Section 2" and insert "Section 3".  
-ARNEY

Ayes 26 Noes 4 Excused 0 Absent 0

The Senate respectfully asks the House to concur by adopting the listed amendments.

Sincerely,

*Nelson E. Wren, Jr.*

Signed: Nelson E. Wren, Jr.  
Senate Chief Clerk

House of Intro  
To Com No. \_\_\_\_\_  
Stand Report Do \_\_\_\_\_ Amd \_\_\_\_\_ Not \_\_\_\_\_  
Com Whole Do \_\_\_\_\_ Amd \_\_\_\_\_ Not \_\_\_\_\_  
2nd Reading Amd \_\_\_\_\_  
3rd Reading Amd \_\_\_\_\_ Pass \_\_\_\_\_ Fail \_\_\_\_\_

Second House  
To Com No. \_\_\_\_\_  
Stand Report Do \_\_\_\_\_ Amd \_\_\_\_\_ Not \_\_\_\_\_  
Com Whole Do \_\_\_\_\_ Amd \_\_\_\_\_ Not \_\_\_\_\_  
2nd Reading Amd \_\_\_\_\_  
3rd Reading Amd \_\_\_\_\_ Pass \_\_\_\_\_ Fail \_\_\_\_\_

## INTRODUCED

1981

STATE OF WYOMING

81LSO-005.01

HOUSE BILL NO. 55

Suspension of nursing home admissions.

Sponsored by: JOINT SENATE LABOR AND FEDERAL RELATIONS  
AND HOUSE LABOR, HEALTH AND SOCIAL SERVICES  
INTERIM COMMITTEE

### A BILL

for

1 AN ACT to create W.S. 35-2-119 relating to nursing homes;  
2 authorizing the suspension of new admissions and the sus-  
3 pension or revocation of a license for specified condi-  
4 tions; providing for appeals; and providing for an effec-  
5 tive date.

6 Be It Enacted by the Legislature of the State of Wyoming:

7 Section 1. W.S. 35-2-119 is created to read:

8 35-2-119. Suspension of nursing home admissions;  
9 suspension or revocation of license; appeals.



1 (a) If the administrator, division of health and  
2 medical services, department of health and social services  
3 determines that the conditions in any nursing home are  
4 detrimental to the health, safety or welfare of the  
5 patients therein, he may suspend the admission of new  
6 patients to that nursing home.

7 (b) If the conditions leading to the suspension of  
8 new admissions continue unabated beyond the period allowed  
9 for abatement, the administrator may continue the suspen-  
10 sion of new admissions, or suspend or revoke the nursing  
11 home license.

12           (c) Any action by the administrator under this  
13       section may be appealed pursuant to the Wyoming Adminis-  
14       trative Procedure Act.

15           Section 2. This act is effective May 20, 1981.

16 (END)

FISCAL NOTE

Anticipated REVENUE to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED REVENUE		
Anticipated COST to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED COST		

No apparent fiscal or personnel impact.

NB55

**ENGROSSED**

1981

STATE OF WYOMING

81LS0-005/eng

HOUSE BILL NO. 55

Suspension of nursing home admissions.

Sponsored by: JOINT SENATE LABOR AND FEDERAL RELATIONS  
AND HOUSE LABOR, HEALTH AND SOCIAL SERVICES  
INTERIM COMMITTEE

A BILL

for

1 AN ACT to create W.S. 35-2-119 relating to nursing homes;  
2 authorizing the suspension of new admissions and the sus-  
3 pension or revocation of a license for specified condi-  
4 tions; providing for a hearing; providing for appeals; and  
5 providing for an effective date.

6 Be It Enacted by the Legislature of the State of Wyoming:

7 Section 1. W.S. 35-2-119 is created to read:

8 35-2-119. Suspension of nursing home admissions;  
9 suspension or revocation of license; appeals.

1 (a) If the administrator, division of health and  
2 medical services, department of health and social services  
3 determines that the conditions in a nursing home are  
4 detrimental to the health, safety or welfare of the  
5 patients therein, he may, after holding a hearing, suspend  
6 the admission of new patients to that nursing home. The  
7 facility is to be provided an opportunity to abate the  
8 condition or conditions prior to suspension of admissions.

9 (b) If the conditions leading to the suspension of  
10 new admissions continue unabated beyond the period allowed  
11 for abatement, the administrator may continue the suspen-  
12 sion of new admissions, or suspend or revoke the nursing  
13 home license.

14 (c) Any action by the administrator under this  
15 section may be appealed pursuant to the Wyoming Adminis-  
16 trative Procedure Act.

17 Section 2. This act is effective May 20, 1981.

18 (END)

✓ HB55S31/A ✓

TO ENGROSSED COPY

✓ Page 1-line 1 After "35-2-119" insert "; and to amend W.S. 35-2-101".

Page 1-line 4 After "appeals;" insert "redefining W.S. 35-2-101 through 35-2-112 to include W.S. 35-2-119;".

✓ Page 2-After line 16 insert:

Section 2. W.S. 35-2-101 is amended to read:

35-2-101. Definition; applicability of sections 35-2-101 to 35-2-112 and 35-2-119.

(a) AS USED IN THIS ACT, THIS ACT MEANS W.S. 35-2-101 THROUGH 35-2-112 AND 35-2-119.

(b) Hospital, sanatorium, rest home, nursing home, boarding home, and other related institutions, within the meaning of this act, ~~shall--mean~~ MEANS any institution, place, building or agency in which any accommodation is maintained, furnished or offered for the hospitalization of the sick or injured or care of any persons requiring or receiving chronic or convalescent care, ~~however,~~ Nothing in this act shall apply to hotels or other similar places that furnish only board and room, or either, to their guests, nor to hospitals operated by the federal government.

Page 2-line 17 Delete "Section 2" and insert "Section 3".  
-ARNEY

HB 55

HB55HS1/A

Kw 1/16/81

- ✓ Page 1-line 4 ✓ After first ";" insert "providing for a hearing;".
- ✓ Page 2-line 6 ✓ After "home." insert "The facility is to be provided an opportunity to abate the condition or conditions ~~and have a hearing~~ prior to suspension of admissions." -SANDERS, CHAIRMAN

HW2/A

ADOPTED

HB55HW1/A

Kw 1/19/81

- ✓ Page 2-line 3 / Delete "any" insert "a". - HANSEN

ADOPTED

HB55HW2/A

CORRECTED COPY

- ✓ Page 2-line 5 ✓ After "may" insert ",after holding a hearing,".
- In HB55HS1/A Reference:
- ✓ Page 2-line 6 ✓ Delete "and have a hearing". -URBIGIR

ADOPTED