



1 26, Chapter 21, Health Care Facility Licensure and Inspection Act[;or] h [;] , **EXCLUDING:**  
 1a **(a) THE UTAH STATE HOSPITAL AND THE UTAH STATE DEVELOPMENTAL CENTER; AND** h  
 2 h [ ] (b) **a residential treatment or residential support facility: [ ]**  
 3 [ ] (i) **subject to licensure under Title 62A, Chapter 2, Licensure of Programs and**  
 3a **Facilities;**  
 4 **and [ ]**  
 5 [ ](ii) **serving people with disabilities, as defined by Department of Human Services**  
 5a **rules.[ ] h**

6 (5) "Unlawful conduct" is defined in Section 58-1-501.  
 7 (6) "Unprofessional conduct" is defined in Section 58-1-501.

8 Section 2. Section **58-62-201** is amended to read:  
 9 **58-62-201. Board.**

10 (1) There is created the Health Care Assistant Registration Board consisting of [H] ten  
 11 individuals:

12 (a) one individual representing the Department of Health created in Title 26, Chapter 1,  
 13 Department of Health Organization;  
 14 [~~(b)~~ one individual representing the Department of Human Services, created in Title 62A,  
 15 Chapter 1, Department of Human Services;]

16 [~~(c)~~] (b) an individual serving in a management capacity in each of the following facilities  
 17 defined under Section 26-21-2 and licensed under Title 26, Chapter 21, Health Care Facility  
 18 Licensure and Inspection Act:

- 19 (i) a nursing care facility;
- 20 (ii) a home health agency;
- 21 (iii) a residential health care facility; and
- 22 (iv) a general acute hospital;
- 23 [~~(d)~~] (c) one licensed registered nurse employed in training of health care assistants;
- 24 [~~(e)~~] (d) one registered health care assistant; and
- 25 [~~(f)~~] (e) three members of the general public who have no financial interest in the  
 26 ownership or operation of a regulated facility.

27 (2) The board shall be appointed and serve in accordance with Section 58-1-201.

28 (3) The duties and responsibilities of the board are in accordance with Sections 58-1-202  
 29 and 58-1-203.

**Legislative Review Note**

**as of 11-26-97 3:44 PM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**