

28 (1) The department shall:

29 (a) enforce rules established pursuant to this part;

30 (b) authorize an agent of the department to conduct inspections of health care facilities

31 pursuant to this part;

32 (c) collect information authorized by the committee that may be necessary to ensure

33 that adequate health care facilities are available to the public;

34 (d) collect and credit fees for licenses as free revenue;

35 (e) collect and credit fees for conducting plan reviews as dedicated credits;

36 (f) (i) collect and credit fees for conducting clearance under Sections 26B-2-239 and

37 26B-2-240; and

38 (ii) beginning July 1, 2012:

39 (A) up to \$105,000 of the fees collected under Subsection (1)(f)(i) are dedicated

40 credits; and

41 (B) the fees collected for background checks under Subsection 26B-2-240(6) and

42 Subsection 26B-2-241(4) shall be transferred to the Department of Public Safety to reimburse

43 the Department of Public Safety for its costs in conducting the federal background checks;

44 (g) designate an executive secretary from within the department to assist the committee

45 in carrying out its powers and responsibilities;

46 (h) establish reasonable standards for criminal background checks by public and

47 private entities;

48 (i) recognize those public and private entities that meet the standards established

49 pursuant to Subsection (1)(h); [~~and~~]

50 (j) establish and maintain a certification for certified nursing assistants that:

51 (i) complies with the Omnibus Budget Reconciliation Act of 1987, Pub. L. No.

52 100-203; and

53 (ii) allows an individual to fulfill the supervised training requirement while working in ~~H~~→

53a [~~;~~

54 ~~— (A) a nursing care facility;~~

55 ~~— (B) a general acute hospital; or~~

56 ~~— (C) any other]~~ any ~~←H~~ health care facility ~~H~~→ , including a nursing care facility, a

56a general acute hospital, and an assisted living facility, ←H the department determines would not

56b violate the

57 Omnibus Budget Reconciliation Act of 1987, Pub. L. No. 100-203; and

58 [~~j~~] (k) provide necessary administrative and staff support to the committee.