

STATE OF NEW YORK

6891

2017-2018 Regular Sessions

IN ASSEMBLY

March 23, 2017

Introduced by M. of A. JENNE -- read once and referred to the Committee on Higher Education

AN ACT to amend the public health law and the education law, in relation to the administration of medication in residential health care facilities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public health law is amended by adding a new section
2 2803-v to read as follows:

3 § 2803-v. Nursing home medication aides. 1. As authorized in paragraph
4 i of subdivision one of section sixty-nine hundred eight of the educa-
5 tion law relating to the practice of nursing, nurse aides, as certified
6 pursuant to section twenty-eight hundred three-j of this article, as
7 added by chapter seven hundred seventeen of the laws of nineteen hundred
8 eighty-nine, are authorized to be certified as medication aides and
9 administer medications in residential health care facilities, as defined
10 in this article, under the supervision of a registered nurse after
11 completing a program of training and clinical practice in dispensing
12 medications approved by the commissioner.

13 2. The commissioner shall promulgate rules and regulations to:

14 (a) define proper standards of practice to ensure appropriate certifi-
15 cation standards and that services are delivered in a scope and manner
16 consistent with the need to ensure the safety and quality of services
17 delivered by medication aides;

18 (b) require that prospective medication aides undergo a program of
19 training and clinical practice approved by the department to ensure that
20 only capable individuals with required skills are certified and allowed
21 to administer medications under the supervision of a registered nurse;

22 (c) require periodic re-assessment and training of medication aides to
23 ensure necessary skill levels for certification are maintained;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (d) require periodic direct observation of the delivery of services by
2 medication aides; and

3 (e) require maintenance of regular records of service delivered by the
4 aide and reviewed by a supervisor to ensure the accuracy and quality of
5 medication administration activities.

6 § 2. Subdivision 1 of section 6908 of the education law is amended by
7 adding a new paragraph i to read as follows:

8 i. As including services given by trained medication aides in residen-
9 tial health care facilities, as defined in article twenty-eight of the
10 public health law, if adequate medical and nursing supervision is
11 provided.

12 § 3. This act shall take effect on the one hundred eightieth day after
13 it shall have become a law.