

2019 Regular Session

HOUSE BILL NO. 77

BY REPRESENTATIVE ARMES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH CARE/PROVIDERS: Authorizes online delivery of certain training required for medication attendants

1 AN ACT

2 To amend and reenact R.S. 37:1022 and 1023, relative to medication attendants; to provide
3 relative to the training required for certification of medication attendants; to
4 authorize formats through which such training may be delivered; to repeal certain
5 provisions relating to fees for drug administration courses for medication attendants;
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:1022 and 1023 are hereby amended and reenacted to read as
9 follows:

10 §1022. Drugs which may be administered

11 Nonlicensed personnel who have successfully completed and passed the drug
12 administration course provided for in R.S. 37:1023 may administer oral medication,
13 ointments, and suppositories, but shall not administer any medication by
14 intramuscular, intravenous, or subcutaneous routes.

15 §1023. Drug administration course; certification of medication attendants; rules;
16 instructor training courses; ~~fees~~

17 A.(1) Drug administration courses shall be established by the office of the
18 secretary of the Louisiana Department of Health in conjunction with the Louisiana
19 State Board of Nursing and the Louisiana State Board of Practical Nurse Examiners
20 and as approved by the secretary of the Louisiana Department of Health.

1 (2)(a) Subject to approval by the secretary of the Louisiana Department of
2 Health, the requisite number of hours of a course established pursuant to this Section
3 and designated as classroom theory may be delivered in a live, in-person format; an
4 online format; or a combination of these formats.

5 (b) Subject to approval by the secretary of the Louisiana Department of
6 Health, the requisite number of hours of a re-certification course established pursuant
7 to this Section may be delivered in a live, in-person format; an online format; or a
8 combination of these formats.

9 (3) Persons who have successfully completed the course provided for in this
10 Subsection and passed a qualifying examination shall be permitted to administer
11 certain medications to residents of facilities operated by the office for citizens with
12 developmental disabilities or community homes for persons with developmental
13 disabilities funded through the Louisiana Department of Health or the Department
14 of Children and Family Services and to persons receiving in-home Medicaid home-
15 and community-based services and shall be known as medication attendants. The
16 course shall include but not be limited to instruction of the legal aspects, roles, and
17 responsibilities of drug administration, definitions, terminology, classification,
18 measurement, identification, effects, distribution, and the care and handling of drugs.

19 ~~B. Fees for the drug administration courses shall be determined by the office~~
20 ~~of the secretary of the Louisiana Department of Health.~~ The cost of implementation
21 ~~will~~ of drug administration courses shall be reimbursed to providers with contracts
22 by the Louisiana Department of Health or the Department of Children and Family
23 Services.

24 C. The Louisiana Department of Health shall promulgate rules in accordance
25 with the Administrative Procedure Act to provide for ~~the~~ all of the following:

- 26 (1) The certification of medication attendants;
- 27 (2) The ~~the~~ renewal, suspension, or revocation of ~~such~~ medication attendant
28 certification;

1 (3) ~~An and an~~ appeals process for persons who have been denied
2 certification or renewal; or whose certification has been suspended or revoked.

3 (4) ~~The department shall also promulgate rules for the~~ assessment of fees for
4 instructor training courses.

5 (5) With respect to training courses established pursuant to Subsection A of
6 this Section, an authorization for that course to be delivered in a live, in-person
7 format; an online format; or a combination of these formats.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 77 Original

2019 Regular Session

Armes

Abstract: Authorizes, subject to approval by the secretary of the La. Dept. of Health, online delivery of certain training required for medication attendants.

Present law authorizes nonlicensed personnel who have successfully completed and passed the drug administration course required by present law to administer oral medication, ointments, and suppositories; but prohibits such personnel from administering any medication by intramuscular, intravenous, or subcutaneous routes. Proposed law retains present law.

Proposed law provides that persons who have successfully completed the drug administration course and passed a qualifying examination shall be known as medication attendants. Authorizes such persons to administer certain medications to residents of facilities operated by the office for citizens with developmental disabilities, to residents of certain community homes for persons with developmental disabilities, and to persons receiving certain in-home Medicaid services. Proposed law retains present law.

Present law provides that drug administration courses for medication attendants shall be established by the La. Department of Health (LDH) in conjunction with the La. State Board of Nursing and the La. State Board of Practical Nurse Examiners and as approved by the secretary of LDH.

Proposed law retains present law and adds the following:

- (1) Subject to approval by the secretary of LDH, the requisite number of hours of a course established pursuant to present law and designated as classroom theory may be delivered in a live, in-person format; an online format; or a combination of these formats.
- (2) Subject to approval by the secretary of LDH, the requisite number of hours of a re-certification course established pursuant to present law may be delivered in a live, in-person format; an online format; or a combination of these formats.

Proposed law requires LDH to promulgate in rule the authorized methods of delivery of medication attendant courses (e.g. live, in-person; online; or a combination of these formats).

Proposed law repeals present law requiring LDH to determine the fees for the drug administration courses provided for in present law and proposed law.

(Amends R.S. 37:1022 and 1023)