

2024 Regular Session

HOUSE BILL NO. 135

BY REPRESENTATIVE TURNER

HEALTH CARE: Authorizes correctional facilities to employ medication attendants certified by the Louisiana Department of Health

1 AN ACT

2 To amend and reenact R.S. 37:1026.1, 1026.2, 1026.4, 1026.7(8), and 1026.8 and to enact
3 R.S. 37:1026.3(5), relative to medication attendants certified by the Louisiana
4 Department of Health; to authorize correctional facilities to employ certified
5 medication attendants; to modify the experience requirements to attend a medication
6 administration course; to verify prospective certified medication attendants; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 37:1026.1, 1026.2, 1026.4, 1026.7(8), and 1026.8 are hereby
10 amended and reenacted and R.S. 37:1026.3(5) is hereby enacted to read as follows:

11 §1026.1. Purpose

12 The purpose of this Part is to create a program that shall authorize
13 certification of medication attendants to perform certain functions in licensed
14 long-term care facilities and correctional facilities. This program shall be
15 administered by the Louisiana Department of Health.

16 §1026.2. Applicability

17 This Part shall apply only to licensed long-term care facilities and
18 correctional facilities as defined in R.S. 37:1026.3.

19 §1026.3. Definitions

20 As used in this Part:

1 * * *

2 (5) "Correctional facility" means any jail, prison, penitentiary, juvenile
3 institution, temporary holding center, or detention facility.

4 §1026.4. Medication attendants

5 Persons who have successfully completed an approved medication
6 administration course, passed a qualifying certification examination, and been issued
7 a current certification by the department pursuant to this Part shall be permitted to
8 administer certain medications to residents of licensed long-term care facilities and
9 correctional facilities and shall be considered direct care staff with regard to licensed
10 long-term care facilities. The ratio of supervising licensed personnel to certified
11 medication attendants shall be specified in department rules.

12 * * *

13 §1026.7. Medication administration course; qualifications of applicants

14 Each person accepted to participate in the medication administration course
15 shall meet the following minimum qualifications:

16 * * *

17 (8) Have a minimum of one year's experience in a licensed long-term care
18 facility or correctional facility as a certified nursing assistant or graduated from a
19 nursing program.

20 * * *

21 §1026.8. Registry

22 A permanent register of all persons certified to practice as a medication
23 attendant shall be maintained by the department as part of the nurse aide registry.
24 Any licensed long-term care facility or correctional facility utilizing a medication
25 attendant shall verify with this registry that the person has a current certification.

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 135 Original

2024 Regular Session

Turner

Abstract: Allows correctional facilities to utilize medication attendants certified by the La. Dept. of Health to administer medication to incarcerated persons.

Present law creates a program to authorize the certification of medication attendants to perform certain functions in a licensed long-term care facility. The certification program is administered by the La. Dept. of Health.

Present law authorizes certified medication attendants to administer certain low-risk medications ordered by an authorized prescriber via noninvasive routes.

Proposed law retains present law and adds correctional facilities to the list of facilities that may employ certified medication attendants.

Proposed law allows medication attendants certified by the La. Dept. of Health to administer certain medications to patients incarcerated at correctional facilities.

Proposed law defines correctional facilities.

Present law requires prospective medication attendants to have one year of experience in a licensed long-term care facility as a certified nurse aide or have graduated from a nursing program to be eligible to participate in the medication administration course offered by the La. Dept. of Health. Proposed law adds a certified nurse aide with one year of experience in a correctional facility to be eligible to participate in the medication administration course.

Present law requires graduates of the medication administration course to be registered on the nurse aide registry. Present law requires licensed long-term care facilities to verify the identity of the person to be hired with the nurse aide registry to ensure that he has completed the medication administration course. Proposed law extends this verification requirement to correctional facilities.

(Amends R.S. 37:1026.1, 1026.2, 1026.4, 1026.7(8), and 1026.8; Adds R.S. 37:1026.3(5))