

Regular Session, 2011

SENATE BILL NO. 93

BY SENATOR MCPHERSON

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

HEALTH CARE. Provides for certain training programs for certified nurse aides. (8/15/11)

AN ACT

To amend and reenact R.S. 37:1026.1 and 1026.6(B)(10) and to enact Part XLII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.21 through 1300.22, and to repeal R.S. 37:1026.9, relative to training programs for certified nurse aides; to provide for the medication attendant certification program for certified nurse aides; to provide for a clinical preceptor nurse aide training program maintained by the Louisiana Community and Technical College System for certified nurse aides; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1026.1 and 1026.6(B)(10) are hereby amended and reenacted to read as follows:

§1026.1. Purpose

The purpose of this Part is to create a ~~pilot~~ program that shall authorize certification of medication attendants to perform certain functions in licensed nursing homes ~~until August 1, 2011~~. This program shall be administered by the Department of Health and Hospitals.

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§1026.6. Promulgation of rules and regulations

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B. The rules and regulations shall include but not be limited to:

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(10) Preparation and delivery of annual interim reports to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare ~~not less than thirty days prior to the commencement of the regular session of the legislature and a final report to same not later than January 31, 2011~~ **for purposes of performance evaluation and continuance.**

Section 2. Part XLII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.21 through 1300.22, is hereby enacted to read as follows:

PART XLII. CLINICAL PRECEPTOR NURSE AIDE TRAINING PROGRAM

§1300.21. Clinical preceptor nurse aide training program; legislative intent

The Legislature of Louisiana hereby finds that there is a serious need for adequately trained certified nurse aides and, therefore, it is in the best interest of the state to maximize the opportunities which are available to students who are seeking to become certified nurse aides. The legislature further finds that a clinical preceptor nurse aide training program operated by the Louisiana Technical and Community College System in conjunction with nursing homes located throughout the state not only provides a viable method of training but also provides such training at a considerably lower cost than the traditional method of training.

§1300.22. Clinical preceptor training program

A. The Louisiana Community and Technical College System is hereby authorized to develop and maintain a clinical preceptor nurse aide training program.

B. Any program developed under the provisions of this Part shall be in compliance with all federal laws and regulations.

Section 3. R.S. 37:1026.9 is hereby repealed.

The original instrument was prepared by Greg Waddell. The following digest, which does not constitute a part of the legislative instrument, was prepared by McHenry Lee.

DIGEST

McPherson (SB 93)

Present law provides for the medication attendant certification pilot program for certified nurse aides which statutorily terminates on August 1, 2011.

Proposed law makes the medication attendant certification program a permanent program.

Present law requires DHH to submit annual reports to the Senate and House committees on health and welfare and a final report by January 31, 2011.

Proposed law retains present law and adds that the reports are for the purposes of performance evaluation and continuance.

Proposed law authorizes LCTCS to develop and maintain a clinical preceptor nurse aide training program in accordance with federal law and regulation.

Effective August 15, 2011.

(Amends R.S. 37:1026.1 and 1026.6(B)(10); adds R.S. 40:1300.21 - 1300.22; repeals R.S. 37:1026.9)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill.

1. Replaces provision which requires annual interim reports to the Senate and House committees on health and welfare rather than reporting only upon request.

Senate Floor Amendments to reengrossed bill.

1. Legislative Bureau technical amendments.