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**HOUSE BILL NO. 1986**

Offered January 14, 2009

Prefiled January 13, 2009

*A BILL to amend and reenact § 54.1-3042 of the Code of Virginia, relating to medication aide training programs.*

Patrons—O'Bannon and Hamilton

Referred to Committee on Health, Welfare and Institutions

**Be it enacted by the General Assembly of Virginia:****1. That § 54.1-3042 of the Code of Virginia is amended and reenacted as follows:**

§ 54.1-3042. Application for registration by competency evaluation.

A. Every applicant for registration as a medication aide by competency evaluation shall pay the required application fee and shall submit *with such application* written evidence that the applicant:

1. Has not committed any act that would be grounds for discipline or denial of registration under this article; ~~and~~

2. ~~Has met the criteria for registration including successful completion of an education or training program approved by the Board.~~ *Has successfully completed a staff training program in direct care approved by the Department of Social Services or an approved nurse aide education program;*

3. *Has successfully completed an education or training program approved by the Board that shall include one of the following:*

a. *A medication aide education or training program approved by the Board that shall not exceed 68 hours combined classroom instruction and clinical skills practice curriculum; or*

b. *A nursing education program preparing for registered nurse or practical nurse licensure; and*

4. *Has successfully completed a competency evaluation consisting of both a clinical evaluation of minimal competency and a written examination as specified by the Board.*

B. *The Board shall provide sufficient locations for the administration of any written examination required for registration under this section, to ensure adequate access to the written examination for all applicants, so that no applicant shall be required to travel more than 25 miles to participate in any written examination required for registration under this section.*

C. *Any applicant under this section who has completed the education or training course required for registration may act as a medication aide on a provisional basis for no more than 120 days before successfully completing any required competency evaluation. However, no applicant shall qualify to practice on a provisional basis more than one time in a three-year period.*

D. *Any applicant under this section who shall apply by endorsement from any state or the District of Columbia that requires registration of medication aides who has met the requirements of registration in such jurisdiction may be deemed eligible to sit for the competency evaluation required pursuant to this section, subject to approval of the Board.*

**2. That, notwithstanding the provisions of the fourth enactments of Chapters 924 and 610 of the Acts of Assembly of 2005, the provisions of § 54.1-3041 of the Code of Virginia that require medication aides to be registered by the Board of Nursing shall not be enforced until July 1, 2009.**

**3. That the provisions of this Act are effective retroactively to January 1, 2009.**

**4. That the Board shall convene a task force to review and revise as necessary the curriculum for education and training of medication aides. The task force shall complete its work and present its recommendations to the Board no later than March 31, 2009. The new curriculum shall be implemented and available no later than May 1, 2009.**

**5. The Board shall take immediate steps to procure a vendor to implement competency evaluations required pursuant to this section, and shall require that such vendor (i) make available any written portion of the test to each applicant in a format other than an electronic format; (ii) upon the request of five or more applicants for registration, provide the competency evaluation examination at the same location as an education and training course completed by the requesting applicants; and (iii) provide written notice to applicants for the results of any competency examination completed by the applicants within seven days of completion.**

**6. That until July 1, 2009, the Board of Nursing shall accept as evidence of successful completion of the education and training requirement pursuant to subsection A of § 54.1-3042 of the Code of Virginia an abbreviated course to any applicant under this section who has at least one year of employment experience as a medication aide and that such abbreviated course shall only be available to applicants who met this minimum employment experience requirement on December**

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59 31, 2008.

60 7. That an emergency exists and this act is in force from its passage.