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**HOUSE JOINT RESOLUTION NO. 90**  
**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
(Proposed by the House Committee on Rules  
on February 2, 2010)

(Patron Prior to Substitute—Delegate O'Bannon)

*Requesting the Department of Health Professions to study the advisability of permitting the use of medication aides in nursing homes. Report.*

WHEREAS, in 2005, Virginia enacted laws providing for the qualification, registration, and regulation of medication aides who administer medications that would otherwise be self-administered to residents in an assisted living facility licensed by the Department of Social Services; and

WHEREAS, the Commonwealth authorizes any person who has completed a training program approved by the Board of Nursing and who administers medications in accordance with the prescriber's instructions and in accordance with regulations promulgated by the Board of Pharmacy relating to security and recordkeeping, including licensed and unlicensed staff, to administer medications that would normally be self-administered to persons receiving services in a program licensed by the Department of Behavioral Health and Developmental Services or an adult day care center or children's residential facility licensed by the Department of Social Services; and

WHEREAS, twenty states have enacted laws allowing medication aides to administer medications to residents of nursing homes when medication aides act under the supervision of a licensed professional nurse; and

WHEREAS, nursing homes in states that have authorized the administration of medications by medication aides acting under the supervision of licensed professional nurses report that the addition of trained medication aides allows licensed nurses to devote more time to professional nursing assessment and judgment and the delivery of direct nursing care to residents; and

WHEREAS, greater use of "care teams" for the delivery of care in nursing homes has created new demands upon nursing home staff, resulting in new staffing needs; and

WHEREAS, the inclusion of medication aides authorized to administer medications that would normally be self-administered by residents of a nursing home under the supervision of a licensed professional nurse would enhance nursing home "care teams" and the quality of services delivered to residents of nursing homes; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Health Professions be requested to study the advisability of permitting the use of medication aides in nursing homes.

In conducting its study, the Department of Health Professions shall work together with nursing home, pharmacy, nursing professionals, and other stakeholders to determine (i) the nature and scope of the role of medication aides in nursing homes in other states; (ii) potential benefits that might result from the use of medication aides in nursing homes in Virginia, including but not limited to benefits associated with enhanced team care and extended licensed nursing care for nursing home residents; and (iii) the nature and scope of regulatory protections and safeguards necessary to ensure the safe and effective use of medication aides in nursing homes, including but not limited to the types of medications that medication aides may administer in nursing homes and type and level of supervision that should be required.

All agencies of the Commonwealth shall provide assistance to the Department of Health Professions for this study, upon request.

The Department of Health Professions shall complete its meetings by November 30, 2010, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2011 Regular Session of the General Assembly and shall be posted on the General Assembly's website.