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SENATE BILL NO. 1543

Offered January 26, 2009

A *BILL to amend and reenact §§ 54.1-3042 and 54.1-3102 of the Code of Virginia, relating to registration of medication aides and licensure of assisted living facility administrators.*

Patrons—McEachin, Puckett and Wampler

Unanimous consent to introduce

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3042 and 54.1-3102 of the Code of Virginia are amended and reenacted as follows:

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

Every applicant for registration as a medication aide by competency evaluation shall pay the required application fee and shall submit 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 *or has five years of continuous employment experience as a medication aide as of December 31, 2008.*

§ 54.1-3102. License required.

A. In order to engage in the general administration of a nursing home, it shall be necessary to hold a nursing home administrator's license issued by the Board, *which shall consider five years of continuous employment experience as an assisted living facility administrator, if completed by December 31, 2008, as satisfying the educational and training requirements for initial licensure.*

B. (See Editor's note) In order to engage in the general administration of an assisted living facility, it shall be necessary to hold an assisted living facility administrator's license or a nursing home administrator's license issued by the Board. However, an administrator of an assisted living facility licensed only to provide residential living care, as defined in § 63.2-100, shall not be required to be licensed.

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, notwithstanding the provisions of the seventh enactments of Chapters 924 and 610 of the Acts of Assembly of 2005, the provisions of § 54.1-3102 of the Code of Virginia that require administrators of assisted living facilities to be licensed by the Virginia Board of Long-Term Care Administrators shall not be enforced until July 1, 2009.

4. That the provisions of this act are effective retroactively to January 1, 2009.

5. That the Board of Nursing shall review and revise as necessary regulations regarding the registration of medication aides with five years of employment experience as a medication aide. The Board shall promulgate such final regulations to be effective by May 1, 2009.

6. That the Virginia Board of Long-Term Care Administrators shall review and revise as necessary the educational and training requirements for initial licensure of an administrator, with five years of employment experience, of an assisted living facility. The Board shall promulgate such final regulations to be effective by May 1, 2009.

7. That until July 1, 2009, the Board of Nursing shall accept as evidence of successful completion of the education and training requirement pursuant to § 54.1-3042 of the Code of Virginia documentation that the applicant under this section has at least five years of continuing employment experience as a medication aide as of December 31, 2008.

8. That until July 1, 2009, the Virginia Board of Long-Term Care Administrators shall accept as evidence of successful completion of any educational and training requirements promulgated pursuant to § 54.1-3102 of the Code of Virginia that the applicant under this section has at least five years of continuous employment experience as an administrator of an assisted living facility as of December 31, 2008.

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

INTRODUCED

SB1543