

Senate Bill 215

By: Senators Walker III of the 20th, Burke of the 11th, Butler of the 55th, Hatchett of the 50th, Kennedy of the 18th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated,
2 relating to regulation of hospitals and related institutions, so as to authorize certified
3 medication aides to administer certain medications to nursing home residents under certain
4 circumstances; to provide criteria and requirements; to provide that certified medication aides
5 employed by a nursing home are not authorized to administer Schedule II narcotic controlled
6 substances; to provide for employer based certified nurse aide training in assisted living
7 communities, private home care providers, personal care homes, and other long-term care
8 facilities; to provide for related matters; to provide for an effective date; to repeal conflicting
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to
13 regulation of hospitals and related institutions, is amended by adding new Code sections to
14 read as follows:

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15 "31-7-12.7.

16 (a) A nursing home may employ certified medication aides for the purpose of performing
17 the technical aspects of the administration of certain medications in accordance with this
18 Code section.

19 (b) A nursing home shall not employ an individual as a certified medication aide unless
20 such individual is listed in the medication aide registry established and maintained by the
21 department pursuant to paragraph (2) of subsection (g) of Code Section 31-7-12.2, is in
22 good standing with the department, and has met all of the qualifications in paragraph (3)
23 of subsection (g) of Code Section 31-7-12.2.

24 (c) A nursing home shall annually conduct a comprehensive clinical skills competency
25 review of each certified medication aide employed by such nursing home.

26 (d) A certified medication aide who meets the criteria established in this Code section shall
27 be permitted to perform the following tasks in a nursing home in accordance with the
28 written instructions of a physician:

29 (1) Administer physician ordered oral, ophthalmic, topical, otic, nasal, vaginal, and rectal
30 medications;

31 (2) Administer insulin, epinephrine, and B12 pursuant to physician direction and
32 protocol;

33 (3) Administer medications via a metered dose inhaler;

34 (4) Conduct finger stick blood glucose testing following established protocol;

35 (5) Administer a commercially prepared disposable enema as ordered by a physician;

36 and

37 (6) Assist residents in the supervision of self-administration of medications.

38 (e) A certified medication aide shall record in the medication administration record all
39 medications that such certified medication aide has personally administered to a resident
40 of a nursing home and any refusal of a resident to take a medication. A certified

41 medication aide shall observe a resident to whom a medication has been administered and
42 shall report any changes in the condition of such resident to a charge nurse.

43 (f) All medications administered by a certified medication aide in accordance with this
44 Code section shall be in unit or multidose packaging.

45 (g) A nursing home that employs one or more certified medication aides to administer
46 medications in accordance with this Code section shall secure the services of a licensed
47 pharmacist to perform the following duties as part of the nursing home's peer review,
48 medical review, and quality assurance functions:

49 (1) Perform a quarterly review of the drug regimen of each resident of the nursing home
50 and report any irregularities to the nursing home administrator;

51 (2) Remove for proper disposal any drugs that are expired, discontinued, in a deteriorated
52 condition, or when the resident for whom such drugs were ordered is no longer a resident;

53 (3) Establish or review policies and procedures for safe and effective drug therapy,
54 distribution, use, and control; and

55 (4) Monitor compliance with established policies and procedures for medication
56 handling and storage.

57 (h) A nursing home that employs one or more certified medication aides to administer
58 medications in accordance with this Code section shall ensure that each certified
59 medication aide receives ongoing medication training as prescribed by the department. A
60 registered professional nurse or pharmacist shall conduct quarterly unannounced
61 medication administration observations and report any issues to the nursing home
62 administrator.

63 (i) Nothing in this Code section shall authorize certified medication aides employed by a
64 nursing home to administer any Schedule II controlled substance that is a narcotic.

65 31-7-12.8.

66 The department shall approve employer based programs sponsored by or offered in assisted
67 living communities, private home care providers, personal care homes, or other long-term
68 care facilities licensed by the department for certified nurse aide training and competency
69 examination programs, in the same manner as such programs are approved in nursing
70 homes, as determined by the department. The department shall require all employer based
71 programs to meet the requirements set forth in 42 C.F.R. 483.152 and other applicable laws
72 and regulations."

73 **SECTION 2.**

74 This Act shall become effective upon its approval by the Governor or upon its becoming law
75 without such approval.

76 **SECTION 3.**

77 All laws and parts of laws in conflict with this Act are repealed.