

AMENDMENTS TO LB 1021

(Amendments to Standing Committee amendments, AM2500)

1           1.     On page 4, after line 4, insert the following new  
2 section:

3           "Sec. 80. Section 71-6725, Revised Statutes Supplement,  
4 2000, is amended to read:

5           71-6725.     (1) The minimum competencies for a medication  
6 aide, a person licensed to operate a child care facility or a staff  
7 member of a child care facility, or a staff member of a school  
8 shall include (a) maintaining confidentiality, (b) complying with a  
9 recipient's right to refuse to take medication, (c) maintaining  
10 hygiene and current accepted standards for infection control, (d)  
11 documenting accurately and completely, (e) providing medications  
12 according to the five rights, (f) having the ability to understand  
13 and follow instructions, (g) practicing safety in application of  
14 medication procedures, (h) complying with limitations and  
15 conditions under which a medication aide may provide medications,  
16 and (i) having an awareness of abuse and neglect reporting  
17 requirements and any other areas as shall be determined by rules or  
18 regulations.

19           (2) The Department of Health and Human Services  
20 Regulation and Licensure shall adopt and promulgate rules and  
21 regulations setting minimum standards for competencies listed in  
22 subsection (1) of this section and methods for competency  
23 assessment of medication aides. The Department of Health and Human

1 Services shall adopt and promulgate rules and regulations setting  
2 methods for competency assessment of the person licensed to operate  
3 a child care facility or staff of child care facilities. The State  
4 Department of Education shall adopt and promulgate rules and  
5 regulations setting methods for competency assessment of the school  
6 staff member.

7 (3) A medication aide (except one who is employed by a  
8 nursing home, an intermediate care facility for the mentally  
9 retarded, or an assisted-living facility), a person licensed to  
10 operate a child care facility or a staff member of a child care  
11 facility, or a staff member of a school shall not be required to  
12 take a course. The medication aide shall be assessed to determine  
13 that the medication aide has the competencies listed in subsection  
14 (1) of this section.

15 (4) A medication aide providing services in an  
16 ~~assisted-living facility as defined in section 71-406 shall be~~  
17 ~~required to have successfully completed a twenty-hour course on the~~  
18 ~~competencies listed in subsection (1) of this section and~~  
19 ~~competency standards established through rules and regulations as~~  
20 ~~provided for in subsection (2) of this section. Competency~~  
21 ~~assessment shall include passing an examination developed and~~  
22 ~~administered by the Department of Health and Human Services~~  
23 ~~Regulation and Licensure. Criteria for establishing a passing~~  
24 ~~standard for the examination shall be established in rules and~~  
25 ~~regulations.~~

26 (5) A medication aide providing services in an  
27 assisted-living facility as defined in section 71-406, a nursing

1 home, or an intermediate care facility for the mentally retarded  
2 shall be required to have completed a forty-hour course on the  
3 competencies listed in subsection (1) of this section and  
4 competency standards established through rules and regulations as  
5 provided for in subsection (2) of this section, except that a  
6 medication aide who has, prior to the operative date of this act,  
7 completed a twenty-hour course and passed an examination developed  
8 and administered by the Department of Health and Human Services  
9 Regulation and Licensure may complete a second twenty-hour course  
10 supplemental to the first twenty-hour course in lieu of completing  
11 the forty-hour course. The department shall adopt and promulgate  
12 rules and regulations regarding the procedures and criteria for  
13 curriculum. Competency assessment shall include passing an  
14 examination developed and administered by the department. Criteria  
15 for establishing a passing standard for the examination shall be  
16 established in rules and regulations. Before providing services in  
17 a nursing home or an intermediate care facility for the mentally  
18 retarded, a medication aide who has previously met the requirements  
19 of subsection (4) of this section shall be required to complete an  
20 additional twenty-hour course. This twenty-hour course, together  
21 with the twenty-hour course set forth in subsection (4) of this  
22 section shall be equivalent to the forty-hour course set forth in  
23 this subsection.

24 (5) Medication aides providing services in nursing homes  
25 or intermediate care facilities for the mentally retarded shall  
26 also meet the requirements set forth in section 71-6039.".

27 2. Insert the following new amendment:

AM3023  
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1                   "3. Renumber the remaining sections and correct internal  
2 references and the repealer accordingly.".