HOUSE FILE 549
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 140)

(As Amended and Passed by the House March 9, 2021)

* = Language Stricken by the House

A BILL FOR

An Act relating to regulatory provisions applicable to care provided in health care facilities and assisted living programs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 135C.34, Code 2021, is amended to read as follows:

135C.34 Medication aide — certification.

The department of inspections and appeals, in cooperation with other appropriate agencies, shall establish a procedure to ~~allow~~ recognize the credentials of a person who is certified as a medication aide in another state to become certified in this state ~~upon completion and passage of both the certified nurse aide and certified medication aide challenge examinations,~~ without additional requirements for certification, including but not limited to, completion and passage of both the certified nurse aide competency examination and the certified medication aide challenge examination or required employment in this state prior to certification, if upon the request of the person seeking certification, the department determines that the other state in which the person is certified has substantially similar certification requirements. The department shall adopt rules pursuant to chapter 17A to administer this section.

Sec. 2. MEDICATION ADMINISTRATION BY NURSING STUDENTS AND GRADUATE NURSES IN NURSING FACILITIES. The department of inspections and appeals, in cooperation with other appropriate agencies, shall adopt or amend rules pursuant to chapter 17A to allow a nursing student or a graduate nurse with an appropriate level of training to administer medications if the nursing facility documents that the nursing facility has implemented training and supervision measures to ensure the nursing student's or graduate nurse's competency in safe medication administration. The rules shall not require the nursing student or graduate nurse to complete a medication course or challenge examination if the nursing facility meets such requirements.

Sec. 3. CERTIFIED NURSE AIDE TRAINING — RECIPROCITY. The department of inspections and appeals shall adopt or amend rules pursuant to chapter 17A to recognize a person who is

a nurse aide in another state and is able to demonstrate competency in skills and techniques necessary to care for the needs of residents in nursing facilities as required by 42 C.F.R. §483.35(c) and (d)(1)(k) to become certified in this state without additional requirements for certification. The rules shall provide for such persons to complete the direct care worker registry application and to be included in the direct care worker registry maintained by the department.

Sec. 4. ASSISTED LIVING PROGRAM MANAGER WHO IS ALSO A LICENSED NURSING HOME ADMINISTRATOR. The department of inspections and appeals shall amend the administrative rules pursuant to chapter 17A relating to an assisted living program manager to allow a new assisting living program manager who is currently licensed as a nursing home administrator to complete any required assisted living management class within twelve months of employment rather than within six months of employment.*