

AN ACT

RELATING TO MEDICATION AIDES; PROVIDING FOR A TRIAL PROGRAM FOR
MEDICATION AIDES TO SERVE PERSONS IN LICENSED NURSING FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. TEMPORARY PROVISION--MEDICATION AIDES--NURSING
FACILITIES--TRIAL PROGRAM--APPROPRIATION.--

A. The board of nursing shall conduct a trial program in five regions of
the state for the certification of no more than one hundred medication aides and the
approval of medication aide training programs to serve persons in licensed nursing
facilities. The purpose of the trial program is to determine whether certified medication
aides can safely and efficiently administer routine medications in licensed nursing
facilities; provided that a medication aide shall not administer schedule I or injectable
drugs.

B. Approved training programs shall, through contract or other
agreement, provide remuneration to the board of nursing for administrative and other
costs associated with oversight of the medication aide program.

C. In order to participate in the trial program, medication aides shall
make application and obtain training and certification as provided in Section 61-3-10.2
NMSA 1978 and shall be subject to all other rules pertaining to medication aides as
determined by the board of nursing.

D. An advisory committee, appointed by the board of nursing, shall
oversee the trial program, advise the board on the implementation of the program and
make recommendations to the board of nursing on the board's evaluation of the
program. The advisory committee shall be composed of individuals with expertise in
long-term care, including at least one representative from the university of New
Mexico, the department of health and the New Mexico nurses association.

E. After considering the recommendations of the advisory committee,
the board of nursing shall evaluate the trial program and submit a report and

1 recommendations for continuing the program to the second session of the forty-sixth
2 legislature no later than December 15, 2004. A person shall not serve as a
3 medication aide without completing an approved training program through the state of
4 New Mexico.

5 F. As used in this section, "medication aide" means a person who,
6 under supervision of a licensed registered nurse in licensed nursing facilities, is
7 permitted to administer routine medications according to rules adopted by the board of
nursing.

8 G. Public programs participating in the trial program shall not supplant
9 or replace existing registered nurses with medication aides. A licensed nurse shall be
10 on site to provide supervision of medication aides participating in the trial program.

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