

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 206 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H2/16/07

A Bill

HOUSE BILL 1435

5 By: Representative S. Prater
6 By: Senator Horn
7
8

9 **For An Act To Be Entitled**

10 AN ACT TO REVISE QUALIFICATIONS FOR MEDICATION
11 ASSISTIVE PERSONS; TO REVISE PENALTIES FOR
12 MEDICATION ASSISTIVE PERSONS; TO REVISE THE
13 MEDICATION ASSISTIVE PERSON ADVISORY COMMITTEE;
14 AND FOR OTHER PURPOSES.
15

16 **Subtitle**

17 AN ACT TO REVISE QUALIFICATIONS FOR
18 MEDICATION ASSISTIVE PERSONS; TO REVISE
19 PENALTIES FOR MEDICATION ASSISTIVE
20 PERSONS; AND TO REVISE THE MEDICATION
21 ASSISTIVE PERSON ADVISORY COMMITTEE.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 *SECTION 1. Arkansas Code § 17-87-704(a), concerning qualifications for*
27 *medication assistive persons, is amended to read as follows:*

28 *(a) In order to be certified as a medication assistive person, an*
29 *applicant shall submit to the Arkansas State Board of Nursing written*
30 *evidence, verified by oath, that the applicant:*

31 *(1)(A) Is currently listed in good standing on the state's*
32 *certified nurse aide registry;*

33 *~~(2)(B)~~ Has maintained registration on the state's*
34 *certified nurse aide registry continuously for a minimum of one (1) year;*

35 *~~(3)(C)~~ Has completed at least one (1) continuous year of*



1 full-time experience as a certified nurse aide in this state;

2 ~~(4)(D)~~ Is currently employed at a designated facility;

3 ~~(5)(E)~~ Has a high school diploma or the equivalent;

4 ~~(6)(F)~~ Has successfully completed a literacy and reading
5 comprehension screening process approved by the board;

6 ~~(7)(G)~~ Has successfully completed a medication assistive
7 person training course of not less than one hundred (100) hours approved by
8 the board; and

9 (8)(H) Has successfully passed an examination on subjects
10 the board determines; or

11 (2)(A) Has completed a portion of a nursing education program
12 equivalent to the medication assistive person training course; and

13 (B) Passed the medication aide examination.

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15 SECTION 2. Arkansas Code § 17-87-708(a)(1), concerning penalties
16 involving medication assistive persons, is amended to read as follows:

17 (a)(1) It shall be a misdemeanor for any person to:

18 (A) Sell or fraudulently obtain or furnish any medication
19 assistive person's certificate, renewal, or record or aid or abet in any such
20 sale or fraud;

21 (B) Serve as a medication assistive person under cover of
22 any certificate or record illegally or fraudulently obtained or signed or
23 issued unlawfully or under fraudulent representation;

24 (C) Serve as a medication assistive person unless
25 certified by the Arkansas State Board of Nursing;

26 (D) Use in connection with his or her name any of the
27 following titles, names, or initials if the user is not properly certified
28 under this subchapter:

29 (i) Medication assistive person;

30 (ii) M.A.P.;

31 (iii) Medication aide;

32 (iv) Medication technician;

33 (v) Medication assistant;

34 (vi) Certified medication aide;

35 (vii) C.M.A.; ~~or~~

36 (viii) Medication assistant – Certified;

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(ix) MA - C; or

~~(viii)~~(x) Any other name, title, or initials that would cause a reasonable person to believe the user is certified under this subchapter;

(E) Serve as a medication assistive person during the time his or her certification is suspended;

(F) Conduct an education program for the preparation of medication assistive persons unless the program has been approved by the board; or

(G) Otherwise violate any provisions of this subchapter.

SECTION 3. Arkansas Code § 17-87-710(b), concerning the Medication Assistive Person Advisory Committee, is amended to read as follows:

(b) The board shall appoint ~~five (5)~~ six (6) members to be approved by the Governor who have the following qualifications:

(1) Two (2) members shall be certified medication assistive persons;

(2) One (1) member shall be a licensed nursing home administrator who has worked in that capacity for at least five (5) years;

(3) One (1) member shall be a registered nurse who has been in a practice using certified nurse aides for at least five (5) years; ~~and~~

(4) One (1) member shall be a lay person representing the interest of consumers of health care services; and

(5) One (1) member shall be a nursing faculty member of an Arkansas nursing education program.

/s/ S. Prater

APPROVED: 3/5/2007