

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.

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

# A Bill

HOUSE BILL 1435

4  
5 By: Representative S. Prater  
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## For An Act To Be Entitled

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

## Subtitle

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

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

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

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

34 (3) Has completed at least one (1) continuous year of full-time  
35 experience as a certified nurse aide in this state;

36 (4) Is currently employed at a designated facility;



- 1 (5) Has a high school diploma or the equivalent;
- 2 (6) Has successfully completed a literacy and reading
- 3 comprehension screening process approved by the board;
- 4 (7) Has successfully completed a medication assistive person
- 5 training course of not less than one hundred (100) hours approved by the
- 6 board; ~~and~~
- 7 (8) Has successfully passed an examination on subjects the board
- 8 determines; or
- 9 (9) Is otherwise qualified as determined by the board.

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

- 13 (a)(1) It shall be a misdemeanor for any person to:
- 14 (A) Sell or fraudulently obtain or furnish any medication
- 15 assistive person’s certificate, renewal, or record or aid or abet in any such
- 16 sale or fraud;
- 17 (B) Serve as a medication assistive person under cover of
- 18 any certificate or record illegally or fraudulently obtained or signed or
- 19 issued unlawfully or under fraudulent representation;
- 20 (C) Serve as a medication assistive person unless
- 21 certified by the Arkansas State Board of Nursing;
- 22 (D) Use in connection with his or her name any of the
- 23 following titles, names, or initials if the user is not properly certified
- 24 under this subchapter:
  - 25 (i) Medication assistive person;
  - 26 (ii) M.A.P.;
  - 27 (iii) Medication aide;
  - 28 (iv) Medication technician;
  - 29 (v) Medication assistant;
  - 30 (vi) Certified medication aide;
  - 31 (vii) C.M.A.; ~~or~~
  - 32 (viii) Medication assistant – Certified;
  - 33 (ix) MA – C; or
  - 34 ~~(viii)-(x)~~ Any other name, title, or initials that
  - 35 would cause a reasonable person to believe the user is certified under this
  - 36 subchapter;

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

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

6 (G) Otherwise violate any provisions of this subchapter.  
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8 SECTION 3. Arkansas Code § 17-87-710(b), concerning the Medication  
9 Assistive Person Advisory Committee, is amended to read as follows:

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

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

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

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

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

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