

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
4

As Engrossed: H2/16/07

A Bill

HOUSE BILL 1435

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

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.

Subtitle

15
16 AN ACT TO REVISE QUALIFICATIONS FOR
17 MEDICATION ASSISTIVE PERSONS; TO REVISE
18 PENALTIES FOR MEDICATION ASSISTIVE
19 PERSONS; AND TO REVISE THE MEDICATION
20 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*
36 *full-time experience as a certified nurse aide in this state;*



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

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

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

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

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

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

12 (B) Passed the medication aide examination.

13
14 SECTION 2. Arkansas Code § 17-87-708(a)(1), concerning penalties
15 involving medication assistive persons, is amended to read as follows:

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

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

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

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

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

28 (i) Medication assistive person;

29 (ii) M.A.P.;

30 (iii) Medication aide;

31 (iv) Medication technician;

32 (v) Medication assistant;

33 (vi) Certified medication aide;

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

35 (viii) Medication assistant – Certified;

36 (ix) MA – C; or

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

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

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

9 (G) Otherwise violate any provisions of this subchapter.

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

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

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

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

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

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

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

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26 /s/ S. Prater
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