HOUSE ENROLLED ACT No. 1652

AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 16-28-1-11, AS AMENDED BY P.L.226-2011, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) Unless an individual is certified under this section:

(1) the individual may not practice as a qualified medication aide or a certified nurse aide; and

(2) a facility may not employ the individual as a qualified medication aide or a certified nurse aide.

(b) The state department shall do the following:

(1) Establish a program for the certification of qualified medication aides and certified nurse aides who work in facilities licensed under this article.

(2) Prescribe Approve education and training programs for qualified medication aides and certified nurse aides, including course and inservice requirements. The training program must include a competency test that the individual must pass before being granted an initial certification.

(3) Determine the standards concerning the functions that may be performed by a qualified medication aide and a certified nurse aide.

(4) Establish annual certification fees for qualified medication aides.

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(5) Adopt rules under IC 4-22-2 necessary to implement and enforce this section.

(c) The education and training programs approved by the state department:

(1) must include a competency test that an individual must pass before being granted an initial certification as:
   (A) a qualified medication aide; or
   (B) a certified nurse aide; and

(2) must include an optional training module for qualified medication aides in administering insulin, including:
   (A) at least four (4), and not more than eight (8), hours of classroom training;
   (B) at least two (2), and not more than four (4), hours of practical training; and
   (C) passing a written and practical examination administered by the trainer;

in insulin administration to be completed before a qualified medication aide may administer insulin.

(d) The state department shall maintain a registry of each individual who is:

(1) certified as a:
   (A) qualified medication aide; or
   (B) certified nurse aide; or

(2) registered as a home health aide under rules adopted under IC 16-27-1-7.

The state department may conduct hearings for violations of this section under IC 4-21.5.

SECTION 2. IC 16-28-1-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11.5. (a) Except as provided in subsection (b), a qualified medication aide certified under section 11 of this chapter may not administer injectable medications.

(b) A qualified medication aide certified under section 11 of this chapter may administer insulin to a specific patient at a health facility licensed under this article if:

(1) a registered nurse, under IC 25-23-1-1.1(b)(6):
   (A) supervises the qualified medication aide in administering the insulin; or
   (B) delegates responsibility for administering the insulin to the qualified medication aide based on the registered nurse's assessment of the qualified medication aide's competency to administer insulin;

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(2) the health facility where the qualified medication aide is employed:
   (A) permits the qualified medication aide to administer insulin;
   (B) establishes a procedure for:
      (i) the delegation of insulin administration from a registered nurse to a qualified medication aide that includes patient-specific clinical parameters based on the registered nurse's assessment of the patient and the qualified medication aide's competency to administer the insulin; and
      (ii) when the patient-specific parameters require a new assessment by the registered nurse;
   (C) retains documentation that the qualified medication aide has completed the optional training module described in section 11(c)(2) of this chapter; and
   (D) notifies each patient upon admission to the health facility that the health facility may allow qualified medication aides to administer insulin; and
   (3) the qualified medication aide does not administer a dose of concentrated insulin equal to or greater in strength or activity than a dose of U-500 insulin.

(c) The state department may require a qualified medication aide who administers insulin under this section to annually complete not more than one (1) hour of inservice training specific to administration of insulin.

SECTION 3. [EFFECTIVE JULY 1, 2019] (a) The state department of health, not later than December 31, 2019, shall approve at least one (1) optional training module described in IC 16-28-1-11(c), as amended by this act. This subsection does not require the state department of health to develop an optional training module.

(b) This SECTION expires July 1, 2020.