



# House of Representatives

General Assembly

**File No. 333**

February Session, 2002

Substitute House Bill No. 5684

*House of Representatives, April 4, 2002*

The Committee on Public Health reported through REP. EBERLE of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING MEDICATION TECHNICIANS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) A nursing home, as  
2 defined in subsection (c) of section 19a-490 of the general statutes, may  
3 employ one or more medication technicians who are certified in  
4 accordance with section 2 of this act. Such medication technician (1)  
5 shall be supervised by a licensed nurse, and (2) may administer oral  
6 and topical, nonprescription drugs and legend drugs, except for  
7 controlled substances, as defined in section 21a-240 of the general  
8 statutes. The nursing home shall provide for a one-to-one ratio of  
9 medication technicians to supervising licensed nurses.

10 (b) Medication technicians shall not be counted when calculating  
11 minimum required staffing levels and staff-to-resident ratios in  
12 nursing homes required by the Department of Public Health.

13 Sec. 2. (NEW) (*Effective October 1, 2002*) (a) The Department of Public

14 Health shall certify medication technicians in accordance with this  
15 section. In order to be eligible for certification as a medication  
16 technician, a person shall (1) be a registered nurse's aide pursuant to  
17 chapter 378a of the general statutes, in good standing, (2) have a  
18 minimum of twenty-four months of experience as a registered nurse's  
19 aide in a nursing home, (3) be recommended by said nursing home's  
20 director of nursing services, and (4) meet the requirements established  
21 in regulations adopted pursuant to subsection (b) of this section. A  
22 person seeking such certification shall apply to the department on such  
23 form as the Commissioner of Public Health prescribes. The  
24 certification shall be valid for two years.

25 (b) The Commissioner of Public Health shall adopt regulations, in  
26 accordance with chapter 54 of the general statutes, for purposes of this  
27 section. Such regulations shall include, but not be limited to, the  
28 following certification requirements (1) Seventy-five hours of  
29 classroom education, which shall include a minimum of forty-five  
30 hours of pharmacology training at an institution of higher education  
31 accredited by the Department of Higher Education or regionally  
32 accredited; (2) practical experience of eighty clinical hours; and (3) a  
33 passing score on a certification examination that has both written and  
34 practical components and is prescribed by the department. Such  
35 regulations shall also require a minimum of nine hours of in-service  
36 education, annually, specific to medications, potential side effects,  
37 proper documentation and scope of practice.

38 (c) Any licensed nurse supervising a certified medication technician  
39 may rely on such certification as an assurance that the medication  
40 technician is competent.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

***Statement of Legislative Commissioners:***

The bill was reorganized and rewritten for accuracy and consistency with the general statutes format for certification and licensing provisions.

***PH***      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:**

<b>Fund-Type</b>	<b>Agency Affected</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
General Fund - Cost	Department of Public Health	176,852	185,951
General Fund - Savings	Department of Social Services	Potential	Potential

**Municipal Impact:** None

**Explanation**

The Department of Public Health will incur an FY 03 cost of \$176,852 to establish a certification program for medication technicians. Included in this sum is \$148,962 to reflect the full-year salaries of 1 Nurse Consultant and 1 Office Assistant, and the three-quarter year salary of 1 Administrative Hearing Attorney. Also included is \$27,890 in associated other expenses and equipment. In FY 04 the annualized program cost would increase to \$185,951. (DPH expenses would be supplemented by fringe benefits costs of \$62,996 in FY 03 and \$70,181 in FY 04 which are budgeted under miscellaneous accounts administered by the Comptroller.) No funding has been included within sHB 5019 (the Revised FY 03 Appropriations Act, as favorably reported by the Appropriations Committee) to implement this program.

This cost estimate assumes that ten percent of the total number of currently registered nurse’s aides, or 3,800 individuals, will seek certification as medication technicians in the first year of implementation.

No revenue is anticipated to be generated as the bill does not

establish a certification fee for a medication technician. It is also assumed that applicants will pay any applicable testing fee directly to a private examination service and not to the state.

As nursing homes may utilize medication technicians rather than higher-cost licensed nurses to perform certain duties, these homes may realize savings from this bill. To the extent that these savings are passed on to the state through future Medicaid reimbursement rates, the state may also realize a savings. The extent of these savings cannot be determined as it is unknown how many homes will utilize medication technicians in lieu of licensed nurses.

**OLR Bill Analysis**

sHB 5684

**AN ACT CONCERNING MEDICATION TECHNICIANS****SUMMARY:**

This bill allows nursing homes to employ Department of Public Health (DPH) certified medication technicians to administer oral and topical prescription and nonprescription drugs, except controlled substances. The medication technician must be supervised by a licensed nurse. The bill specifies that the ratio of medication technicians to licensed nurses (registered nurses and licensed practical nurses) in a nursing home must be one-to-one. Medication technicians must not be counted when determining a nursing home's required minimum staffing levels and staff-to-resident ratios.

The Department of Public Health (DPH) must certify medication technicians, based on training, experience, and examination requirements. It must adopt regulations establishing certification requirements for medication technicians employed by nursing homes. An applicant must be a registered nurse's aide in good standing, with at least 24 months experience in a nursing home and recommended for training as a medication technician by the nursing home's director of nursing services.

Finally, the bill provides that a licensed nurse supervising a certified medication technician may rely on that certification (and recertification) as assurance of a competent technician.

EFFECTIVE DATE: October 1, 2002

**CERTIFICATION REQUIREMENTS**

The certification regulations must require (1) 75 hours of classroom education, including at least 45 hours of pharmacology training at an institution of higher education accredited by the Department of Higher Education, or regionally accredited; (2) practical experience of 80 clinical hours; and (3) passage of a final examination prescribed by DPH, including both written and practical parts. The regulations must also require at least nine hours annually of in-service education

specifically addressing medications, potential side effects, proper documentation, and scope of practice.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 13    Nay 11