

SECOND REGULAR SESSION

HOUSE BILL NO. 2597

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SWAN.

6609H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 198.082, RSMo, and to enact in lieu thereof one new section relating to nursing assistant training programs.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 198.082, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 198.082, to read as follows:

198.082. 1. Each nursing assistant hired to work in a skilled nursing or intermediate care facility after January 1, 1980, shall have successfully completed a nursing assistant training program approved by the department or shall enroll in and begin the first available approved training program which is scheduled to commence within ninety days of the date of the nursing assistant's employment and which shall be completed within four months of employment. Training programs shall be offered at any facility licensed or approved by the department of health and senior services ~~[which is most]~~ ; **any skilled nursing or intermediate care unit in a Missouri veterans' home, as defined in section 42.100; or any hospital, as defined in section 197.020. Training programs shall be** reasonably accessible to the enrollees in each class. The program may be established by the skilled nursing or intermediate care facility, **unit, or hospital**, by a professional organization, or by the department, and training shall be given by the personnel of the facility, **unit, or hospital**, by a professional organization, by the department, by any community college, or by the vocational education department of any high school.

2. As used in this section the term "nursing assistant" means an employee, including a nurse's aide or an orderly, who is assigned by a skilled nursing or intermediate care facility, **unit, or hospital** to provide or assist in the provision of direct ~~[resident]~~ health care services under the supervision of a nurse licensed under the nursing practice law, chapter 335. This section shall

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 not apply to any person otherwise licensed to perform health care services under the laws of this
19 state. It shall not apply to volunteers or to members of religious or fraternal orders which operate
20 and administer the facility, **unit, or hospital**, if such volunteers or members work without
21 compensation.

22 3. The training program [~~after January 1, 1989, shall consist of at least the following:~~
23 ~~—— (1) A training program consisting]~~ **shall consist** of at least seventy-five classroom hours
24 of training on basic nursing skills, clinical practice, [~~resident]~~ **patient** safety and rights, the social
25 and psychological [~~problems of residents]~~ **needs of patients**, and the methods of handling and
26 caring for mentally confused [~~residents]~~ **persons** such as those with Alzheimer's disease and
27 related disorders, and one hundred hours supervised and on-the-job training. **On-the-job**
28 **training sites shall include skilled nursing or intermediate care facilities, veterans' homes,**
29 **long-term care units of hospitals, or hospital patient care areas whose population may**
30 **include, but is not limited to, the geriatric population and other areas approved by the**
31 **department.** The one hundred hours shall be completed within four months of employment and
32 may consist of normal employment as nurse assistants **or hospital nursing support staff** under
33 the supervision of a licensed nurse[~~]; and~~

34 ~~—— (2) Continuing in-service training to assure continuing competency in existing and new~~
35 ~~nursing skills. All nursing assistants trained prior to January 1, 1989, shall attend, by August 31,~~
36 ~~1989, an entire special retraining program established by rule or regulation of the department~~
37 ~~which shall contain information on methods of handling mentally confused residents and which~~
38 ~~may be offered on premises by the employing facility].~~

39 4. Nursing assistants who have not successfully completed the nursing assistant training
40 program prior to employment may begin duties as a nursing assistant only after completing an
41 initial twelve hours of basic orientation approved by the department and may provide direct
42 resident care only if under the general supervision of a licensed nurse prior to completion of the
43 seventy-five classroom hours of the training program.

44 **5. Persons who have completed the seventy-five hours of classroom instruction and**
45 **one hundred hours of clinical practicum required of unlicensed assistive personnel under**
46 **19 CSR 30-20.125 or its successor regulation shall be allowed to sit for the certified nursing**
47 **assistant examination and be deemed to have fulfilled the classroom and clinical standards**
48 **for designation as a certified nursing assistant.**

✓