

2016 -- S 2875

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO HEALTH AND SAFETY -- NURSING ASSISTANTS

Introduced By: Senators Nesselbush, P Fogarty, Miller, Pichardo, and Walaska

Date Introduced: March 31, 2016

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-17.9-2 of the General Laws in Chapter 23-17.9 entitled  
2 "Registration of Nursing Assistants" is hereby amended to read as follows:

3 **23-17.9-2. Definitions -- Supervision of nursing assistants -- Inapplicability of**  
4 **chapter.** -- (a) As used in this chapter:

5 (1) "Certifying agency" means the state department of health.

6 (2) "Director" means the director of the state department of health or his or her designee.

7 (3) "Nursing assistant" is defined as a nurses' aide, orderly, or home health aide who is a  
8 paraprofessional trained to give personal care and related health care and assistance based on his  
9 or her level of preparation to individuals who are sick, disabled, dependent, or infirmed and who  
10 are residents of or who receive services from health care facilities licensed pursuant to chapter 17  
11 of title 23 or receiving services from agencies licensed pursuant to chapter 17.7 of this title. The  
12 director of the department of health may by regulation establish different levels of nursing  
13 assistants.

14 (b) Nursing assistants shall be supervised by professional (registered nurses) and other  
15 appropriate professional members of a health care facility or physician.

16 (c) Notwithstanding any provision of this chapter, nothing in this section shall apply to  
17 those persons designated solely as personal care attendants, or programs established and  
18 administered for the purpose of providing personal care attendant service, established by chapter  
19 8.1 of title 40.

1 (d) No provision of this chapter shall apply to those persons who are actively  
2 matriculated in a bachelor of science in nursing, associate degree program in nursing, an  
3 accredited licensed practical nursing program, or registered nurse course of study in a national  
4 league for nursing accredited nursing program, provided those persons have completed a  
5 minimum of two (2) clinical courses and provided those individuals are supervised by a R.N.

6 (e) No provision of this chapter or of the rules and regulations pertaining to Rhode Island  
7 certificates of registration for nursing assistants, medication aides, and the approval of nursing  
8 assistant and medication aide training programs, including the provisions related to medication  
9 aides, shall apply to those persons who are actively matriculated in a bachelor of science in  
10 nursing, associate degree program in nursing, an accredited licensed practical nursing program, or  
11 registered nurse course of study in a national league for nursing accredited nursing program;  
12 provided, those persons have completed a minimum of two (2) clinical courses and appropriate  
13 training in medication administration and provided those individuals are supervised by a  
14 registered nurse.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO HEALTH AND SAFETY -- NURSING ASSISTANTS

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1           This act would exempt those enrolled in a bachelor of science in a nursing program, an  
2   associate degree in a nursing program, an accredited licensed practical nurse program, or other  
3   registered nurse course of study from registration and supervision requirements of the registration  
4   of nursing assistants and the rules and regulations pertaining to Rhode Island certificates of  
5   registration pertaining to their occupations as long as two (2) clinical courses have been  
6   completed and there is in place supervision by a registered nurse.

7           This act would take effect upon passage.

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