

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 275, Page 22, Section 196.100, Line 18,
2 by inserting after all of said section and line the following:

3
4 "198.082. 1. Each certified nursing assistant hired to work in a skilled nursing or
5 intermediate care facility after January 1, 1980, shall have successfully completed a nursing
6 assistant training program approved by the department or shall enroll in and begin the first available
7 approved training program which is scheduled to commence within ninety days of the date of the
8 certified nursing assistant's employment and which shall be completed within four months of
9 employment. Training programs shall be offered at any facility licensed ~~[or approved]~~ by the
10 department of health and senior services; any skilled nursing or intermediate care unit in a Missouri
11 veterans home, as defined in section 42.002; or any hospital, as defined in section 197.020. Training
12 programs shall be [which is most] reasonably accessible to the enrollees in each class. The program
13 may be established by [the] a skilled nursing or intermediate care facility, unit, or hospital; by a
14 professional organization[;]; or by the department, and training shall be given by the personnel of
15 the facility, unit, or hospital; by a professional organization[;]; by the department[;]; by any
16 community college; or by the vocational education department of any high school.

17 2. As used in this section the term "certified nursing assistant" means an employee[;] who
18 has completed the training required under subsection 1 of this section, who has passed the
19 certification exam, and [including a nurse's aide or an orderly,] who is assigned by a skilled nursing
20 or intermediate care facility, unit, or hospital to provide or assist in the provision of direct resident
21 health care services under the supervision of a nurse licensed under the nursing practice law, chapter
22 335.

23 3. This section shall not apply to any person otherwise regulated or licensed to perform
24 health care services under the laws of this state. It shall not apply to volunteers or to members of
25 religious or fraternal orders which operate and administer the facility, if such volunteers or members
26 work without compensation.

27 ~~[3.]~~ 4. The training program ~~[after January 1, 1989, shall consist of at least the following:~~
28 ~~—— (1) A training program consisting]~~ requirements shall be defined in regulation by the
29 department and shall require [of] at least seventy-five classroom hours of training [on basic nursing
30 skills, clinical practice, resident safety and rights, the social and psychological problems of
31 residents, and the methods of handling and caring for mentally confused residents such as those with
32 Alzheimer's disease and related disorders,] and one hundred hours supervised and on-the-job
33 training. On-the-job training sites shall include supervised practical training in a laboratory or other
34 setting in which the trainee demonstrates knowledge while performing tasks on an individual under
35 the direct supervision of a registered nurse or a licensed practical nurse. The [one hundred hours]
36 training shall be completed within four months of employment and may consist of normal

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employment as nurse assistants or hospital nursing support staff under the supervision of a licensed nurse~~]; and~~

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

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

6. The competency evaluation shall be performed in a facility, as defined in 42 CFR Sec. 483.5, or laboratory setting comparable to the setting in which the individual shall function as a certified nursing assistant.

7. Persons completing the training requirements of unlicensed assistive personnel under 19 CSR 30-20.125 or its successor regulation, and who have completed the competency evaluation, shall be allowed to sit for the certified nursing assistant examination and be deemed to have fulfilled the classroom and clinical standards for designation as a certified nursing assistant.

8. The department of health and senior services may offer additional training programs and certifications to students who are already certified as nursing assistants according to regulations promulgated by the department and curriculum approved by the board."; and

Further amend said bill, Page 44, Section 334.749, Line 43, by inserting after all of said section and line the following:

"335.175. 1. No later than January 1, 2014, there is hereby established within the state board of registration for the healing arts and the state board of nursing the "Utilization of Telehealth by Nurses". An advanced practice registered nurse (APRN) providing nursing services under a collaborative practice arrangement under section 334.104 may provide such services outside the geographic proximity requirements of section 334.104 if the collaborating physician and advanced practice registered nurse utilize telehealth in the care of the patient and if the services are provided in a rural area of need. Telehealth providers shall be required to obtain patient consent before telehealth services are initiated and ensure confidentiality of medical information.

2. As used in this section, "telehealth" shall have the same meaning as such term is defined in section 191.1145.

3. (1) The boards shall jointly promulgate rules governing the practice of telehealth under this section. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth.

(2) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

4. For purposes of this section, "rural area of need" means any rural area of this state which is located in a health professional shortage area as defined in section 354.650.

~~[5. Under section 23.253 of the Missouri sunset act:~~

1 ~~————(1) The provisions of the new program authorized under this section shall automatically~~
2 ~~sunset six years after August 28, 2013, unless reauthorized by an act of the general assembly; and~~
3 ~~————(2) If such program is reauthorized, the program authorized under this section shall~~
4 ~~automatically sunset twelve years after the effective date of the reauthorization of this section; and~~
5 ~~————(3) This section shall terminate on September first of the calendar year immediately~~
6 ~~following the calendar year in which the program authorized under this section is sunset.]"~~; and
7

8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.