
Regulations

provided to the patient, or may obtain written consent from the patient.

VA.R. Doc. No. R09-1826; Filed March 25, 2009, 10:30 a.m.

BOARD OF NURSING

Final Regulation

REGISTRAR'S NOTICE: The Department of Health Professions is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Department of Health Professions will receive, consider and respond to petitions from any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 18VAC90-60. Regulations Governing the Registration of Medication Aides (amending 18VAC90-60-90; adding 18VAC90-60-91, 18VAC90-60-92).

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Effective Date: May 13, 2009.

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Summary:

The amendments (i) conform the time limit for acceptance of one year of experience and the eight-hour refresher course to the dates specified in the law; (ii) add a section to specify the requirements for provisional practice for up to 120 days; and (iii) add a section to specify the requirements for registration by endorsement.

Part III

Registration of Medication Aides

18VAC90-60-90. Requirements for initial registration.

A. To be registered as a medication aide, an applicant shall:

1. Provide documentation of successful completion of a staff training program in direct client care approved by the Department of Social Services or of an approved nurse aide education program;
2. Provide documentation of successful completion of one of the following:
 - a. A medication aide training program approved by the board in accordance with this chapter;
 - b. A nursing education program preparing for registered nurse licensure or practical nurse licensure; or

c. An eight-hour refresher course preparing a person to take the competency evaluations required for registration and one year of experience working as a medication aide in an assisted living facility. The one year of experience working as a medication aide in an assisted living facility shall be immediately completed prior to applying for registration December 31, 2008, and may only be accepted as evidence of training until July 1, 2008 August 1, 2009;

3. Submit the required application and fee as prescribed by the board;

4. Disclose whether there are grounds for denial of registration as specified in § 54.1-3007 of the Code of Virginia; and

5. Provide documentation of successful completion of competency evaluations consisting of:

- a. A clinical evaluation of minimal competency in the skills of administering medications as specified in 18VAC90-60-60 B 2; and
- b. A written examination as specified by the board with a passing score determined by the board.

B. An applicant who fails to take the board-approved examination within one year of completion of the training or who has failed the examination in three attempts shall reenroll and successfully complete another approved medication aide training program.

18VAC90-60-91. Requirements for provisional practice.

A. An applicant for registration who wants to practice as a medication aide on a provisional basis shall:

1. Submit the required application for registration and fee as prescribed by the board; and
2. Provide evidence to the board of successful completion of the medication aide training course or a nursing education program.

B. An applicant shall practice for no more than 120 days from the date of a letter from the board acknowledging receipt of the documentation required in subsection A of this section and granting provisional authorization.

C. An applicant acting as a medication aide under provisional authorization shall be identified as a provisional medication aide.

D. An applicant with provisional authorization shall immediately cease acting as a medication aide at the conclusion of the 120-day period or upon notification of failure after three attempts to pass the written examination required for registration, whichever comes first.

18VAC90-60-92. Requirements for registration by endorsement.

An applicant applying for registration by endorsement who has met the requirements for registration or certification as a medication aide in another state or the District of Columbia may be deemed eligible to sit for the competency evaluation upon submission of:

1. A completed application and fee; and
2. Verification of registration or certification as a medication aide in another state or the District of Columbia.

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