

SECOND REGULAR SESSION

SENATE BILL NO. 1062

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CIERPIOT.

Read 1st time February 28, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6677S.011

AN ACT

To repeal section 198.082, RSMo, and to enact in lieu thereof one new section relating to certified nursing assistants.

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Section A. Section 198.082, RSMo, is repealed and one new section
2 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
2 intermediate care facility after January 1, 1980, shall have successfully completed
3 a nursing assistant training program approved by the department or shall enroll
4 in and begin the first available approved training program which is scheduled to
5 commence within ninety days of the date of the nursing assistant's employment
6 and which shall be completed within four months of employment. Training
7 programs shall be offered at any facility licensed or approved by the department
8 of health and senior services [which is most], **including any hospital, as**
9 **defined in section 197.020, as well as in any skilled nursing or**
10 **intermediate care unit in a Missouri veterans' home, as described in**
11 **section 42.100. Training programs shall be** reasonably accessible to the
12 enrollees in each class. The program may be established by the skilled nursing
13 or intermediate care **unit or facility or hospital**, by a professional organization,
14 or by the department, and training shall be given by the personnel of the **unit,**
15 **facility, 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 "nursing assistant" [means] **shall**
18 **mean** an employee, including a nurse's aide or an orderly, who is assigned by a
19 skilled nursing or intermediate care **unit, facility, or hospital** to provide or

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 assist in the provision of direct [resident] health care services under the
21 supervision of a nurse licensed under the nursing practice law, chapter 335. This
22 section shall not apply to any person otherwise licensed to perform health care
23 services under the laws of this state. It shall not apply to volunteers or to
24 members of religious or fraternal orders which operate and administer the
25 facility, if such volunteers or members work without compensation.

26 3. The training program [after January 1, 1989,] shall consist [of at least
27 the following:

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

41 (2) Continuing in-service training to assure continuing competency in
42 existing and new nursing skills. All nursing assistants trained prior to January
43 1, 1989, shall attend, by August 31, 1989, an entire special retraining program
44 established by rule or regulation of the department which shall contain
45 information on methods of handling mentally confused residents and which may
46 be offered on premises by the employing facility].

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

53 5. **Persons who have completed the required hours of classroom**
54 **instruction and clinical practicum for unlicensed assistive personnel**
55 **under 19 CSR 30-20.125, or its successor regulation, shall be permitted**

56 to take the certified nursing assistant examination and shall be deemed
57 to have fulfilled the classroom and clinical standards requirements for
58 designation as a certified nursing assistant under this section.

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