

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1403

Introduced by

Representatives Price, Metcalf

Senators Lee, Redlin

1 A BILL for an Act to provide a licensed nurse may delegate medication administration; to create
2 and enact a new subsection to section 43-12.1-04 of the North Dakota Century Code, relating
3 to persons exempt from nurse licensure; to require the department of human services and the
4 North Dakota board of nursing to report to the legislative council and to make recommendations
5 regarding administration of medications; and to provide an expiration date.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1.** A new subsection to section 43-12.1-04 of the 1997 Supplement to the
8 North Dakota Century Code is created and enacted as follows:

9 A person who provides medication administration according to individual needs
10 and as a part of an individual habilitation or case plan within a residential treatment
11 center for children licensed under chapter 25-03.2, a treatment or care center for
12 developmentally disabled persons licensed under chapter 25-16, or a residential
13 child care facility licensed under chapter 50-11.

14 **SECTION 2. Delegation of medication administration.** A licensed nurse may
15 delegate medication administration to a person exempt under section 1 of this Act.

16 **SECTION 3. DEPARTMENT OF HUMAN SERVICES AND NORTH DAKOTA BOARD**
17 **OF NURSING - RECOMMENDATION - REPORT TO LEGISLATIVE COUNCIL.** The
18 department of human services and the North Dakota board of nursing, after consultation with
19 appropriate individuals and entities, shall prepare a joint recommendation for consideration by
20 the fifty-seventh legislative assembly regarding the administration of medication according to
21 section 1 of this Act. During the 1999-2000 interim, the department of human services and the
22 North Dakota board of nursing shall report annually to the legislative council regarding the
23 progress in preparing a joint recommendation under this section. By December 10, 2000, the

1 department of human services shall certify to the governor and the legislative council regarding
2 satisfaction of the reporting and recommendation requirements under this section.

3 **SECTION 4. EXPIRATION DATE.** This Act is effective through July 31, 2001, and
4 after that date is ineffective.