

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE BILL NO. 1108
(Human Services Committee)
(At the request of the Department of Corrections and Rehabilitation)

AN ACT to amend and reenact section 12-44.1-29 of the North Dakota Century Code, relating to medication administration in correctional facilities.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12-44.1-29 of the North Dakota Century Code is amended and reenacted as follows:

12-44.1-29. Provision of medication - Training requirements - Verification - Rules.

1. A correctional facility may authorize an employee to provide medication to an inmate of a correctional facility if the employee is:
 - a. Licensed or registered under title 43 and is providing the medication within the scope of practice of the profession for which the individual is licensed or registered; or
 - b. A correctional facility staff member who has successfully completed a medication administration training that has been preapproved assistant I training and competency evaluation program approved by the North Dakota board of nursing state department of health under chapter 23-44. The requirements for a medication assistant I training and competency evaluation program must be met, except for the requirement a correctional facility staff member must be a nurse aide or certified nurse aide on the department registry prior to entry into the medication assistant I training and competency evaluation program or following successful completion of the program.
2. If a correctional facility uses a correctional facility staff member to provide medication to an inmate under subdivision b of subsection 1:
 - a. The Upon successful completion of the department-approved medication assistant I training and competency evaluation program, the correctional facility staff member may not provide the medication by the parenteral route administration to inmates consistent within the scope and limitations of medication administration included in the medication assistant I training and competency evaluation program; and
 - b. The correctional facility shall provide to the board of nursing verification of appropriate medication administration training for that correctional facility staff member maintain records of all correctional facility staff members who have successfully completed the department-approved medication assistant I training and competency evaluation program, including verification of successful completion of the program. The department may periodically review the correctional facility's records to assure compliance with medication assistant I training and competency evaluation requirements.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1108.

House Vote: Yeas 88 Nays 1 Absent 5

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State