

HOUSE BILL NO. 1108

Introduced by

Human Services Committee

(At the request of the Department of Corrections and Rehabilitation)

1 A BILL for an Act to amend and reenact section 12-44.1-29 of the North Dakota Century Code,
2 relating to medication administration in correctional facilities.

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

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

6 **12-44.1-29. Provision of medication - Training requirements - Verification - Rules.**

7 1. A correctional facility may authorize an employee to provide medication to an inmate
8 of a correctional facility if the employee is:

9 a. Licensed or registered under title 43 and is providing the medication within the
10 scope of practice of the profession for which the individual is licensed or
11 registered; or

12 b. A correctional facility staff member who has successfully completed a medication
13 administration training that has been preapprovedassistant I training and
14 competency evaluation program approved by the North Dakota board of
15 nursingstate department of health under chapter 23-44. The requirements for a
16 medication assistant I training and competency evaluation program must be met,
17 except for the requirement a correctional facility staff member must be a nurse
18 aide or certified nurse aide on the department registry prior to entry into the
19 medication assistant I training and competency evaluation program or following
20 successful completion of the program.

21 2. If a correctional facility uses a correctional facility staff member to provide medication
22 to an inmate under subdivision b of subsection 1:

23 a. TheUpon successful completion of the department-approved medication
24 assistant I training and competency evaluation program, the correctional facility

- 1 staff member may not provide the medication by the parenteral-
2 ~~route~~administration to inmates consistent within the scope and limitations of
3 medication administration included in the medication assistant I training and
4 competency evaluation program; and
- 5 b. The correctional facility shall ~~provide to the board of nursing verification of~~
6 ~~appropriate medication administration training for that correctional facility staff~~
7 ~~member~~maintain records of all correctional facility staff members who have
8 successfully completed the department-approved medication assistant I training
9 and competency evaluation program, including verification of successful
10 completion of the program. The department may periodically review the
11 correctional facility's records to assure compliance with medication assistant I
12 training and competency evaluation requirements.