

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1652

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AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 16-28-1-11, AS AMENDED BY P.L.226-2011, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) Unless an individual is certified under this section:

- (1) the individual may not practice as a qualified medication aide or a certified nurse aide; and
- (2) a facility may not employ the individual as a qualified medication aide or a certified nurse aide.

(b) The state department shall do the following:

- (1) Establish a program for the certification of qualified medication aides and certified nurse aides who work in facilities licensed under this article.
- (2) ~~Prescribe~~ **Approve** education and training programs for qualified medication aides and certified nurse aides, including course and inservice requirements. ~~The training program must include a competency test that the individual must pass before being granted an initial certification.~~
- (3) Determine the standards concerning the functions that may be performed by a qualified medication aide and a certified nurse aide.
- (4) Establish annual certification fees for qualified medication aides.

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(5) Adopt rules under IC 4-22-2 necessary to implement and enforce this section.

**(c) The education and training programs approved by the state department:**

**(1) must include a competency test that an individual must pass before being granted an initial certification as:**

**(A) a qualified medication aide; or**

**(B) a certified nurse aide; and**

**(2) must include an optional training module for qualified medication aides in administering insulin, including:**

**(A) at least four (4), and not more than eight (8), hours of classroom training;**

**(B) at least two (2), and not more than four (4), hours of practical training; and**

**(C) passing a written and practical examination administered by the trainer;**

**in insulin administration to be completed before a qualified medication aide may administer insulin.**

**(c) (d)** The state department shall maintain a registry of each individual who is:

**(1) certified as a:**

**(A) qualified medication aide; or**

**(B) certified nurse aide; or**

**(2) registered as a home health aide under rules adopted under IC 16-27-1-7.**

**(c) (e)** The **state** department may conduct hearings for violations of this section under IC 4-21.5.

SECTION 2. IC 16-28-1-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 11.5. (a) Except as provided in subsection (b), a qualified medication aide certified under section 11 of this chapter may not administer injectable medications.**

**(b) A qualified medication aide certified under section 11 of this chapter may administer insulin to a specific patient at a health facility licensed under this article if:**

**(1) a registered nurse, under IC 25-23-1-1.1(b)(6):**

**(A) supervises the qualified medication aide in administering the insulin; or**

**(B) delegates responsibility for administering the insulin to the qualified medication aide based on the registered nurse's assessment of the qualified medication aide's competency to administer insulin;**



**(2) the health facility where the qualified medication aide is employed:**

**(A) permits the qualified medication aide to administer insulin;**

**(B) establishes a procedure for:**

**(i) the delegation of insulin administration from a registered nurse to a qualified medication aide that includes patient-specific clinical parameters based on the registered nurse's assessment of the patient and the qualified medication aide's competency to administer the insulin; and**

**(ii) when the patient-specific parameters require a new assessment by the registered nurse;**

**(C) retains documentation that the qualified medication aide has completed the optional training module described in section 11(c)(2) of this chapter; and**

**(D) notifies each patient upon admission to the health facility that the health facility may allow qualified medication aides to administer insulin; and**

**(3) the qualified medication aide does not administer a dose of concentrated insulin equal to or greater in strength or activity than a dose of U-500 insulin.**

**(c) The state department may require a qualified medication aide who administers insulin under this section to annually complete not more than one (1) hour of inservice training specific to administration of insulin.**

**SECTION 3. [EFFECTIVE JULY 1, 2019] (a) The state department of health, not later than December 31, 2019, shall approve at least one (1) optional training module described in IC 16-28-1-11(c), as amended by this act. This subsection does not require the state department of health to develop an optional training module.**

**(b) This SECTION expires July 1, 2020.**



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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