

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 4235**

(SENATE AUTHORS: FATEH and Abeler)

DATE  
02/26/2024

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Introduction and first reading  
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to health; modifying training requirements for nursing assistants and  
1.3 medication aides; amending Minnesota Statutes 2022, sections 144A.61, subdivision  
1.4 3a; 148.235, subdivision 10.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 144A.61, subdivision 3a, is amended to read:

1.7 Subd. 3a. **Competency evaluation program.** (a) The commissioner of health shall  
1.8 approve the competency evaluation program.

1.9 (b) A competency evaluation must be administered to persons who desire to be listed  
1.10 in the nursing assistant registry. The tests may only be administered by technical colleges,  
1.11 community colleges, or other organizations approved by the ~~Department of Health~~  
1.12 commissioner of health. The commissioner must ensure any written portions of the  
1.13 competency evaluation are available in languages other than English that are commonly  
1.14 spoken by persons who desire to be listed in the nursing assistant registry. The commissioner  
1.15 may consult with the state demographer or the commissioner of employment and economic  
1.16 development when identifying languages that are commonly spoken by persons who desire  
1.17 to be listed in the nursing assistant registry.

1.18 (c) The commissioner of health shall approve a nursing assistant for the registry without  
1.19 requiring a competency evaluation if the nursing assistant is in good standing on a nursing  
1.20 assistant registry in another state.

1.21 **EFFECTIVE DATE.** This section is effective January 1, 2025.

2.1 Sec. 2. Minnesota Statutes 2022, section 148.235, subdivision 10, is amended to read:

2.2 Subd. 10. **Administration of medications by unlicensed personnel in nursing**  
2.3 **facilities.** Notwithstanding the provisions of Minnesota Rules, part 4658.1360, subpart 2,  
2.4 a graduate of a foreign nursing school who has successfully completed an approved  
2.5 competency evaluation under the provisions of section 144A.61 is eligible to administer  
2.6 medications in a nursing facility upon completion of a any medication training program for  
2.7 unlicensed personnel ~~offered through a postsecondary educational institution, which approved~~  
2.8 by the commissioner of health that meets the requirements specified in Minnesota Rules,  
2.9 part 4658.1360, subpart 2, item B, subitems (1) to (6).

2.10 **EFFECTIVE DATE.** This section is effective January 1, 2025.