

VIRGINIA BOARD OF NURSING
HB349 WORKGROUP MEETING
Monday, July 22, 2024
Minutes

Time and Place The Board of Nursing convened the HB349 Workgroup Meeting at 1:32 P.M. on July 22, 2024 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

Board Members Present Carol Cartte, RN, BSN Chair
Delia Acuna, FNP-C, Board Member

Stakeholders Present Andrew Lamar, Virginia Nurses Association (VNA)
April Payne, Virginia Health Care Association (VHCA)/Virginia Center for Assisted Living (VCAL)
Scott Johnson, VHCA/VCAL
Allyson Flinn, Virginia Department of Health (VDH)
Melissa Green, VDH
Karen Riley, Leading Age Virginia

Staff Members Present Claire Morris, RN, LNHA, Deputy Executive Director, Incoming Executive Director
Jacquelyn Wilmoth, RN, MSN, Deputy Executive Director
Christina Bargdill, RN, BSN, MHS, Deputy Executive Director
Christine Smith, RN, MSN, Nurse Aide/RMA Education Program Manager
Erin Barrett, JD, DHP Director of Legislative and Regulatory Affairs

Matt Novak, Policy and Economic Analyst- Joined at 2:28 pm

Introduction and Review of Charge to Workgroup
Ms. Cartte welcomed committee members and reviewed the committee charge.

Public Comment No Public Comment.

Review of Regulatory Process
Ms. Barrett reviewed the regulatory process and projected timeline as it relates to House Bill 349 (HB349) legislation.

Review of Medication Aide Statutes and Regulations:

The committee reviewed the legislation highlighting the Medication Aide statute §54.1-3041, 3042 and 3043 and the regulations Governing the registration of medication Aides under 18VAC90-60-10. The committee discussed the differences between the assisted living and nursing homes in terms of both patient populations and governing laws and regulations. The committee also discussed requirements for training and the need for more robust curriculum to best prepare the advanced RMA to work in the nursing home environment. It was noted that the legislation does not give the Board jurisdiction to regulate advanced RMA training programs or curriculum.

During the discussion clarification was provided regarding the intent of the new professional designation of advanced RMA to decrease workload for the nursing staff. The advanced RMA is intended to administer routine medications to residents in the long-term care (LTC) setting and not to individuals in the skilled nursing (SNF) setting. Additionally, the advanced RMA scope of practice was not intended to include the administration of medications intravenously or via a g-tube, or medications, such as oral Coumadin, which require ongoing laboratory monitoring and nursing assessment. There is a desire to include routine intramuscular (IM) injections into the scope of practice for the advanced RMA. The Board may consider adding a current and active nurse aide certificate to eligibility criteria for the advanced RMA to ensure the advanced RMA is able to provide direct care to residents in addition to administering medications.

Additional discussion centered around statutory considerations. Code of Virginia §54.1-3408 of the Drug Control Act to include language authorizing the advanced RMA to administer medications in the nursing home setting. There was also concern raised about the timing of the promulgation of regulations by VDH to authorize medication aides to administer drugs in a certified nursing facility at the same time the Board of Nursing is required to promulgate regulations to implement the provisions of the act.

Next Steps

April Payne, VHCA/VCAL, will send forward to all committee members a summary of information obtained from other states regarding the qualifications and scope of practice medication aides working in nursing homes.

A report containing the recommendations of the workgroup will be prepared and provided to the Chairmen of the Senate Committee on Education and Health and the House committee on Health and Human Services by November 1, 2024.

Meeting Adjourned 2:30 p.m.