



LNHA Regulatory Update: October 2019

Emergency Rule

Nursing Facilities – Licensing Standards – Virtual Visitation (LAC 48:I.9781)

A prior Emergency Rule was implemented on November 28, 2018. The rule addressed the criteria for determining a resident's capacity to consent to electronic monitoring. This Emergency Rule simply continues the provisions of the prior Emergency Rule. A full text of the rules can be found [here](#) on page 11 of the PDF.

Notice of Intent

Medication Attendant Certified – Licensing Standards (LAC 48:I.Chapter 100)

The Louisiana Department of Health (LDH) proposes to amend the provisions governing the licensing of individuals certified by the department to administer medications to nursing facility residents, hereafter referred to as "medication attendants certified" or "MAC." The proposed amendments revise and update the training and certification requirements including, but not limited to, the following changes:

- A MAC shall function under the direct supervision of a licensed registered or practical nurse on duty at the nursing facility. While the task of medication administration may be delegated to the MAC by the registered nurse, the registered nurse retains the accountability for the total nursing care of the resident.
- Prior to MAC application for a certificate, the person must have a minimum of one year experience in a nursing home as a CNA or be a graduate of a nursing program.
- Within 90 days of an applicant starting a MAC program, the person must be free of abused substances as evidenced by periodic drug testing in accordance with the facility's policies and procedures.
- Every MAC training program shall have a program coordinator who provides general supervision of the training received by the MAC trainees.
- The MAC training curriculum shall contain a minimum of 120 hours (up from the current requirement of 100 hours) of core curriculum and 45 clinical hours (up from the current requirement of 40 hours).

A full text of the rules can be found [here](#) on page 101 of the PDF.

If you have a comment to this proposed rule, submit the comment to Cecile Castello via email at MedicaidPolicy@la.gov or mail to Bureau of Health Services Financing, Attn: Cecile Castello, P.O. Box 3767, Baton Rouge, LA 70821. LDH will host a public hearing of the proposed rules at 9:30 a.m. on November 29, 2019, in Room 118 of the Bienville Building at 628 North Fourth St., Baton Rouge, LA.

Questions

If you have comments or concerns regarding this update, contact LNHA's Legal and Policy Director, Wes Hataway at whataway@lnha.org.