

AN ACT

RELATING TO HEALTH; CREATING THE SCHOOL MEDICATION AIDES TRAINING  
PILOT PROGRAM; CREATING THE SCHOOL MEDICATION AIDES ADVISORY  
COMMITTEE.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-3-1 NMSA 1978 (being Laws 1968, Chapter 44, Section  
1) is amended to read:

"61-3-1. SHORT TITLE.--Chapter 61, Article 3 NMSA 1978 may be cited as the  
"Nursing Practice Act"."

Section 2. A new section of the Nursing Practice Act is enacted to read:

"SCHOOL MEDICATION AIDES TRAINING PILOT PROGRAM.--

A. The board shall adopt rules to establish a school medication aides  
training pilot program to educate and certify persons as school medication aides to  
administer prescription drugs or other medication to public school students during  
school hours. The purpose of the school medication aides training pilot program is to  
determine whether certified medication aides can safely and efficiently administer  
routine medication in a public school setting. Approved training programs shall,  
through contract or agreement, provide remuneration to the board for administrative  
and other costs associated with oversight of the school medication aides training pilot  
program. The board, the department of health and the state department of public  
education shall collaborate to identify resources for the purpose of establishing the  
school medication aides training pilot program. The number of trainees and the  
number of school medication aides shall be based on the resources available;

provided, however, that the school medication aides training pilot program shall be established in not more than five regions of the state and shall include a maximum of thirty school medication aide trainees.

B. For purposes of this section, "school medication aide" means a person who, under the supervision of a licensed registered nurse who is certified as a licensed school nurse by the state department of public education, may administer prescription medications and other medications to public school students.

C. The board shall appoint a school medication aides advisory committee to be chaired by a representative of the board and to include representatives from research nursing programs of New Mexico universities, the state department of public education, the department of health, an educational assistants association, a statewide association of nurses and a statewide association of school nurses. The school medication aides advisory committee shall develop and recommend educational requirements, appropriate levels of compensation and, in conjunction with the board, the department of health and the state department of public education, develop and recommend the procedures necessary for school medication aides to safely administer prescription drugs or other medications to public school students. The school medication aides advisory committee shall design the school medication aides training pilot program and shall evaluate the results of the training program and make recommendations regarding the training program to the board.

D. The board shall collaborate with the department of health and the state department of public education through the school medication aides advisory committee. The board shall develop and determine educational requirements and

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program requirements by administrative rule and shall determine educational standards and certification requirements to certify school medication aides to administer prescription drugs or other medications.

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E. Persons wishing to practice as school medication aides shall make application to the board and obtain training and certification as determined by the board and shall be subject to all other regulations pertaining to medication aides as determined by the board.

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F. A school medication aide trainee shall not administer prescription drugs or other medications to public school students except under the supervision and direction of a licensed registered nurse who is certified as a licensed school nurse by the state department of public education."

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Section 3. TEMPORARY PROVISION.--Public schools participating in the school medication aides training pilot program shall not, during the time period of the pilot program, which shall not extend beyond December 15, 2004, discharge a certified licensed school nurse in order to hire, instead, a school medication aide.

Section 4. TEMPORARY PROVISION.--The board shall consider the recommendations of the school medication aides advisory committee and report to the legislature the board's recommendations concerning the continuance of the school medication aides training pilot program no later than December 15, 2004.

HEC/HB 528