

## FREQUENTLY ASKED QUESTIONS

### New Medication Regulations NAC 449 - Residential Facilities for Groups

On January 13, 2011 amendments to NAC 449.196, NAC 449.2742, and NAC 449.2744 related to the requirements for a facility to assist residents with their medication administration became effective. The passage of the new regulations created multiple changes in the requirements for facilities to administer medications to residents and as a result, multiple questions from providers on how to be in compliance.

#### EMPLOYEE TRAINING AND TESTING:

QUESTION: What were the previous requirements for medication administration training?

ANSWER: NRS 449.037(6) states an employee must have, “successfully completed training and examination approved by the Health Division regarding the authorized manner of assistance” before they can assist a resident with their medication. The NRS did not specify the amount of hours for this training. Medication programs and examinations are approved by HCQC and the majority of programs were running about 8 hours with the examination.

QUESTION: What are the new initial medication administration training requirements?

ANSWER: The hours for initial medication administration training have increased to 16 hours – 12 hours of classroom training plus 4 hours of practical, “hands-on” training by a Bureau approved provider. Attendees are then given a Bureau approved examination by the training provider. If they pass the test they will be given a certificate that states the person, “*has successfully completed the approved initial medication training (16 hours) and passed the approved medication examination as required by NRS 449.037(6) (e).*” The certificate will list the date the test was taken, the test score, the certificate expiration date, the signature of the trainer and the course approval number.

QUESTION: When does the new 16-hour class become required?

ANSWER: **April 1, 2011.** All initial medication administration classes on this date and after have to meet the 16-hour requirement.

QUESTION: Do employees that have already taken an initial medication administration course, passed the examination and hold a current medication certificate have to retake the new 16-hour course?

ANSWER: No. Only new employees or existing employees that want to be able to assist residents with their medication administrations have to take an initial medication administration class.

QUESTION: The previous regulations required 3-hours of medication administration refresher training and retesting every 3 years. Have there been changes to these requirements?

ANSWER: Yes. Caregivers that are certified to assist residents with their medication administration must now annually obtain at least 8-hours of medication administration training and annually pass a Bureau approved examination given by an approved provider by the expiration date on the training certificate. Employees taking their initial medication administration training in 2011 must complete at least 8-hours of annual training by the 2012 expiration date in addition to the hours spent to become certified in the initial training class.

QUESTION: Does the employee have to obtain the annual 8-hours of training from a Bureau approved medication administration training provider?

ANSWER: No. The employee can accumulate training hours in many ways: through facility in-service trainings, trainings sponsored by other facilities, on-line training, provider workshops, local college/university class, etc. The employee's file must contain evidence of training attendance such as a certificate or a copy of a training sign-in sheet or roster that lists the subject of the training, the date of the class, the start and end time of the class to show the number of hours of training and the instructor's name. Evidence for in-service training by facilities, on-line training and any other informal training must also include a copy of the training course outline.

Employees can attend an 8-hour medication administration refresher course and examination by a Bureau approved provider. They will receive a certificate that will state the employee *"has successfully attended 8 hours of Medication Administration and passed the approved medication refresher examination as required by NAC 449.196(3) (b)."* The certificate will list the date the test was taken, the test score, the certificate expiration date, the signature of the trainer and the course approval number.

QUESTION: Does the employee have to go to a Bureau approved medication administration program provider for the initial and annual testing?

ANSWER: Yes, the employee has to show proof of identification and complete a medication management examination proctored by a Bureau approved program provider. The medication examination certificate will state the employee *"has successfully passed the approved medication refresher examination as required by NAC 449.196(3) (b)."* The certificate will list the date the test was taken, the test score, the certificate expiration date, the signature of the trainer and the course approval number. The facility must maintain copies of the employee's initial medication management certificate, annual testing certificates and records of the employee's annual medication administration training.

QUESTION: What about employees that took initial or refresher training in 2009, 2010 and early 2011?

ANSWER: The new regulations require annual training and annual testing:

**2008 Issued Certificates:** The 3-year certificates were set to expire in 2011. The certificate holder must retest in 2011 before the month listed on the original certificate.

The holder must obtain at least 8 hours of medication management training between the 2011 issue date of the new certificate and the 2012 expiration date on the certificate.

**2009-2010 Issued Certificates:** The 3-year certificates now expire in 2011. Certificates issued between January 1 – December 31, 2009 and January 1 – May 31, 2010 will be given until June 1, 2011 to take a refresher examination. Certificates issued June 1, 2010 – December 31, 2010 will expire 1 year from the issue date. The holder must obtain at least 8 hours of medication management training between the 2011 issue date of the new certificate and the 2012 expiration date on the certificate.

**2011 Issued Certificates:** The 3-year certificates now valid for only 1 year. Certificates issued between January 1 – March 31, 2011 will expire 1 year from their issue date in 2012. All certificates issued after April 1, 2011 will expire 1 year from their issue date. The holder must obtain at least 8 hours of medication management training between the 2011 issue date and the 2012 expiration date on the certificate.

QUESTION: What about employee training on the facility's medication plan?

ANSWER: NAC 449.196 requires employees who assist residents with medication administration to, *“Complete the training program developed by the administrator of the residential facility pursuant to paragraph (e) of subsection 1 of NAC 449.2742.”*

Subsection 1e of the NAC 449.2742 requires the facility administrator to, *“Develop and maintain a training program for caregivers of the residential facility who administer medication to residents, including, without limitation, an initial orientation on the plan for managing medications at the facility for each new caregiver and an annual training update on the plan. The administrator shall maintain documentation concerning the provision of the training program and the attendance of caregivers.”*

The training hours for the initial orientation to the facility's medication plan can be counted toward an employee's 8-hours of annual medication administration training for that first year. The annual medication plan update training time can be counted toward an employee's 8-hours of annual medication administration training.

## **MEDICATION PLAN:**

QUESTION: When do facilities have to have their medication management plan available for review?

ANSWER: April 1, 2011 – surveyors will begin asking for the facility's plan for managing administration of medications by caregivers as part of the survey process.

QUESTION: Does the Bureau have examples of the type of information that should be included in a facility's medication plan?

ANSWER: “Medication Plan Components” document is available on the HCQC webpage at: [http://www.health.nv.gov/HCQC/2011-03-08\\_MEDICATION\\_PLAN\\_COMPONENTS.pdf](http://www.health.nv.gov/HCQC/2011-03-08_MEDICATION_PLAN_COMPONENTS.pdf)

### **ADMINISTRATOR TRAINING AND TESTING:**

QUESTION: Do the new regulations require a facility administrator to also receive medication management training?

ANSWER: Yes – the intent of the regulation was to ensure administrators of a residential facility have the same knowledge of the Nevada requirements for medication administration to residents as their caregivers. The actual wording of NAC 449.2742(1) (f) states that, *“In his or her first year of employment as an administrator of the residential facility, receive, from a program approved by the Bureau, at least 16 hours of training in the management of medication consisting of not less than 12 hours of classroom training and not less than 4 hours of practical training and obtain a certificate acknowledging completion of such training.”*

So – an administrator who has been working at a facility for more than a year would not have to comply with the requirement. It is recommended that the facility’s administrator be as or more knowledgeable about the requirements for administering medications to residents as their employees to avoid conflicts in facility practices. The training would also help administrators with their development of the facility’s medication management plan. Plus – the Board of Examiner’s for Long Term Care Administrators (BELTCA) will accept the hours for the initial training toward an administrator’s CEU requirements!

QUESTION: Once an administrator completes the initial medication management training requirement, do they have to have annual training and testing like caregivers?

ANSWER: Yes. NAC 449.2742(1) (g) requires the administrator to receive at least 8 hours of training in the management of medication annually and provide the residential facility with satisfactory evidence of the content of the training and his or her attendance at the training.

NAC 449.2742(1) (h) requires the administrator to pass an annual examination relating to the management of medication approved by the Bureau.

QUESTION: What if the new administrator is a pharmacist or registered nurse?

ANSWER: All new administrators would need medication training regardless if they are a pharmacist or a registered nurse. The intent of the regulation was to ensure administrators of a residential facility have knowledge of the Nevada requirements for medication administration to residents. The majority of nurses and pharmacists have only worked around medical settings and are not aware of the differences between what is allowed in a medical facility versus a residential care facility.