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Department of Health
Bureau of Health Services Financing

Public Hearing-Substantive Changes to Proposed Rule
Nurse Aide Training and Competency Evaluation Program
Medication Attendant Certified
Licensing Standards
(LAC 48:I.Chapter 100)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Health, Bureau of Health Services Financing published a Notice of Intent in the October 20, 2022 edition of the *Louisiana Register* (LR 2666-2673) to amend LAC 48:I.Chapter 100 as authorized by R.S. 36:254 and R.S.37:1026.1 et seq. This Notice of Intent proposed to amend the provisions governing the Nurse Aide Training and Competency Evaluation Program in order to update the licensing requirements for medication attendants certified that provide services in licensed long-term care facilities in compliance with Act 112 of the 2022 Regular Session of the Louisiana Legislature. As a result of comments received in response to the proposed Rule, the department determined that additional, non-technical revisions are necessary to the provisions of §10081 and §10082 of the October 20, 2022 Notice of Intent.

Taken together, these revisions will closely align the proposed Rule with the department's original intent and the

concerns brought forth during the comment period for the Notice of Intent as originally published.

Title 48

PUBLIC HEALTH-GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 100. Nurse Aide Training and Competency Evaluation Program

Subchapter G. Medication Attendant Certified

§10081. General Provisions

A. - A.1. ...

2. successfully completed a state-approved MAC training course and competency evaluation administered by a state-approved testing source; and

A.3. - F. ...

1. - 3. Repealed

G. - J. ...

J.1. - M. Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 37:1026.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 34:1413 (July 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:1248 (May 2012), repromulgated LR 38:1412 (June

2012), amended by the Department of Health, Bureau of Health Services Financing, LR 46:30 (January 2020), LR 49:

§10082. General Requirements

A. - B.2. ...

C. All MAC training and competency evaluation programs must be approved by the department. Each state-approved MAC training and competency evaluation program shall:

C.1. - D. ...

1. - 4. Repealed.

E. ...

F. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 37:1026.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 34:1414 (July 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:1249 (May 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 46:30 (January 2020), LR 49:

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding these substantive changes to the proposed Rule. A

public hearing on the substantive changes to the proposed Rule is scheduled for Tuesday, February 28, 2023 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing. The deadline for receipt of all written comments is 4:30 p.m., March 1, 2023.

Dr. Courtney N. Phillips

Secretary