

SHORT TITLE: Public health and safety; nursing facility staff training and certification. Effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1054

By: Maddox

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Section 1-1950.3, which relates to nursing aides employment; providing certain time period within which certain persons shall be certified; defining term; prohibiting certain action after specified date; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-1950.3, is amended to read as follows:

Section 1-1950.3 A. No employer or contractor who is subject to the provisions of Section 1-1950.1 or 1-1950.2 of this title ~~or Section 2 of this act~~ shall use, on a full-time, temporary, per diem, or other basis, any individual who is not a licensed health professional as a ~~nurses~~ nursing aide for more than four (4) months, unless such individual has satisfied all requirements for certification and placement on the ~~nurse~~ nursing aide registry maintained by the ~~Oklahoma~~ State Department of Health.

B. With respect to individuals used as ~~nurses~~ nursing aides who have not completed requirements for certification and placement on the ~~nurse~~ nursing aide registry, the employer shall, within one hundred twenty-five cumulative days of such person's utilization as

a nursing aide, provide for a competency evaluation program approved by the Oklahoma State Department of Health and training and preparation as may be necessary for the individual to complete such a program such person's certification and placement. As used in this subsection, "cumulative days" refers to the number of days a person is utilized as a nursing aide by any employer in any nursing facility.

C. On and after the first day of November, 2002, no nursing facility, home health care provider, or other provider of long-term care services shall hire any person to work as a nursing aide unless such person has completed an approved course of training for nursing aide and been certified as a nursing aide.

D. Any person convicted of violating any provision of this section, or of Section 1-1950.1 of this title, shall be guilty of a misdemeanor, punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than Three Hundred Dollars (\$300.00), or imprisonment in the county jail for not more than thirty (30) days, or by both such fine and imprisonment.

SECTION 2. This act shall become effective November 1, 1998.

46-2-1969

CJ