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Indicates New Matter

AMENDED

April 26, 2022

**S. 1059**

Introduced by Senator Verdin

S. Printed 4/26/22--H.

Read the first time March 1, 2022.

**A** **BILL**

TO AMEND SECTION 40‑33‑43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑33‑43 of the 1976 Code, as last amended by Act 19 of 2021, is further amended to read:

“Section 40‑33‑43. In intermediate care facilities for persons with intellectual disability as defined in Article 3, Chapter 7, Title 44, community residential care facilities as defined in Article 3, Chapter 7, Title 44, nursing homes as defined in Article 3, Chapter 7, Title 44, and correctional facilities, the provision of medications may be performed by selected unlicensed persons with documented medication training and skill competency evaluation. For nursing homes only, the Department of Health and Human Services shall develop a Medication Technician Certification Program. The department shall develop program standards to include, but not be limited to, curriculum, training and competence, and testing certification requirements. The department shall create and maintain a Medication Technician Registry. The provision of medications by selected unlicensed persons is limited to oral and topical medications, and regularly scheduled insulin, and prescribed anaphylactic treatments under established medical protocol and does not include sliding scale insulin or other injectable medications. Licensed nurses may train and supervise selected unlicensed persons to provide medications and, after reviewing their competency evaluations, may approve selected unlicensed persons for the provision of medications.”

SECTION 2. This act takes effect upon approval by the Governor.

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