

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

Senate Bill 338

(Senator Conway)

Education, Health, and Environmental Affairs

Health and Government Operations

**State Board of Nursing - Medication Technician Graduates and Certified
Medication Technicians - Sunset Extension**

This emergency bill extends for one year a provision of law that authorizes a medication technician graduate or a medication technician who has applied for renewal to practice for up to 180 days while awaiting a certificate from the State Board of Nursing. The 180-day time period runs from the date of completion of a medication technician training program or the board-approved refresher course. This authorization is extended through April 11, 2014.

Fiscal Summary

State Effect: None. Extending the authority for certain medication technicians to practice for up to 180 days without a certificate does not affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Chapters 455 and 456 of 2004 (SB 405/HB 602) required the State Board of Nursing to certify medication technicians by October 1, 2004.

An applicant for a medication technician certificate must be of good moral character, be at least 18 years of age, successfully complete an approved course in medication administration or a portion of an approved nursing education program, and submit a specified application and fee to the board. Applicants may not have committed any act of

omission that would be grounds for discipline or denial of certification nor have a record of abuse, negligence, misappropriation of a resident's property, or any disciplinary action taken or pending in another jurisdiction.

A medication technician may renew a certificate if he or she (1) is otherwise entitled to be certified; (2) submits a renewal application; (3) pays the renewal fee; (4) every two years, provides satisfactory evidence of completion of a board-approved clinical refresher course; and (5) provides satisfactory evidence of completion of 100 hours of practice as a certified medication technician within the two-year period preceding the date of renewal.

As shown in **Exhibit 1**, since fiscal 2005, the total number of medication technicians regulated by the board has increased by 130%.

Exhibit 1
Total Number of Certified Medication Technician Certificates Held
Fiscal 2005-2012

	Fiscal Year							
	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
Certified Medication Technicians	32,618	40,721	15,643	20,384	57,354	62,744	69,246	74,960

Source: State Board of Nursing

In response to delays in the processing and issuance of medication technician certificates, Chapter 653 of 2008 (HB 269) authorized medication technician graduates to practice for up to 90 days from the date of completion of a medication technician training program.

Subsequently, the board indicated that, when incomplete applications are submitted or a backlog in applications occurs, processing of certificates can take longer than 90 days. Thus, Chapter 123 of 2011 (HB 378) extended the time period a medication technician can practice without a certificate from 90 to 180 days and authorized a medication technician who has applied for renewal and taken a board-approved clinical refresher course to practice for up to 180 days while awaiting renewal. Chapter 123 (an emergency bill) included a two-year termination provision. Without further action by the General Assembly, these provisions will terminate after April 11, 2013.

Chapter 123 also required the board to submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee by December 31, 2011, on the status of the online program for processing medication technician applications. In this report, the board indicated that it anticipated processing all initial and renewal applications online by the end of fiscal 2012, noting that manual processing of a renewal certificate takes approximately six to eight weeks, while online renewals should be completed within four weeks. The board also reported that it had identified and was working to resolve technical obstacles to online certification and had hired two additional personnel to process medication technician applications.

As of February 2013, the board indicates that all renewals should be online by March 1, 2013; however, additional time will be needed to train providers and educate certificate holders and applicants before all initial applications can be completed online.

If the termination provision is not extended, medication technician graduates will be permitted to practice for only 90 days without a certificate and the board will be authorized only to grant a 30-day extension for renewal of a certificate or two 90-day extensions pending receipt of criminal history record information.

Additional Information

Prior Introductions: None.

Cross File: HB 425 (Delegate Nathan-Pulliam) - Health and Government Operations.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

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