



SPONSOR: Sen. Walsh

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1
TO
SENATE BILL NO. 27

AMEND Senate Bill No. 27 on line 32 by inserting the following after the period and before “The” therein:

“Each medication must be packaged separately and labeled with the medication name and dosage.”.

FURTHER AMEND Senate Bill No. 27 on line 44 by deleting “who provides care for another.” and inserting in lieu thereof “who is the primary caretaker for an adult individual.”.

FURTHER AMEND Senate Bill No. 27 by inserting the following between line 51 and 52 and redesignating accordingly:

“d. This paragraph (a)(17) of this section does not apply to the administration of a controlled substance listed on Schedule II or IV under Subchapter II of Chapter 47 of Title 16.

e. A direct care worker may administer medication under this paragraph (a)(17) of this section only if the worker has successfully completed an administration of medications training program approved by the Secretary of Department of Health and Social Services.”.

FURTHER AMEND Senate Bill No. 27 on line 53 by deleting “administered.” and inserting in lieu thereof the following:

“administered by the worker and provide the documentation to the personal assistance services agency that employs the worker. The personal assistance services agency shall retain the documentation and make it available to the Secretary of Department of Health and Social Services for inspection on request.”.

FURTHER AMEND Senate Bill No. 27 by inserting the following after line 61:

“Section 3. This Act is effective upon enactment and is to be implemented the earlier of the following:

(1) 1 year from the date of the Act’s enactment.

(2) Upon promulgation of final regulations under this Act and the Secretary of the Department of Health and Social Services providing notice to the Registrar of Regulations, published in the Register of Regulations, that the contingency under this paragraph (2) of this Section has been fulfilled.”.

SYNOPSIS

This Amendment does the following:

(1) Exempts controlled substances listed on Schedule II and IV from medications that can be administered by a direct care worker under this Act.

(2) Clarifies the packaging instructions and increases the information that must be on each medication the direct care worker is to administer.

(3) Requires that before administering medication under this Act, a direct care worker must complete a training program on the administration of medications that is approved by the Secretary of the Department of Health and Social Services ("Department").

(4) Requires that a direct care worker provide the documentation the worker keeps regarding administered medications to the personal assistance services agency that employs the worker and that the agency retains the documentation and makes it available to the Secretary of the Department of Health and Social Services on request.

(5) Delays the implementation of this Act until the earlier of 1 year from the date of the Act's enactment or the promulgation of final regulations to implement this Act by the Secretary and the publication of notice in the Register of Regulations that regulations required to implement this Act have been promulgated.

Author: Senator Walsh