

MEMORANDUM

A.1272 (Clark)

AN ACT to amend the education law and the public health law, in relation to certified medication aides

LeadingAge New York wholeheartedly supports this legislation, which would allow certified nurse aides (CNAs) to receive advanced training and become certified medication aides (CMAs) to better serve residents in nursing homes. This legislation would permit trained CMAs to administer routine medications to residents under the supervision of a registered nurse.

Permitting the training and hiring of CMAs in nursing homes would help to address the long-term care workforce crisis by providing:

1. **Career Advancement Opportunities for CNAs:** This bill expands the career ladder by providing high-performing CNAs the opportunity, at their discretion, to earn higher wages and take on a more advanced role in caring for residents. It would also provide a path toward pursuing Licensed Practical Nurse (LPN) training and licensure for those CNAs interested in doing so.
2. **Improved Job Satisfaction for Nurses & More Time for Them to Focus on Higher Level Resident Care:** Allowing trained CMAs to assist registered nurses (RNs) and LPNs with the administration of routine medication would free up the LPN/RN to focus on higher-level tasks and resident care needs. As the medical complexity of nursing home residents continues to grow, this initiative would allow nurses to focus their expertise where it's most needed on higher-level care tasks, coordination of care, and assessments for RNs.
3. **A Collaborative Approach to Care in Nursing Homes:** Creating new career growth opportunities for CNAs, and allowing LPNs and RNs the time to serve residents with more advanced needs, would enable greater job satisfaction, higher quality of care of residents, and a more collaborative, team-based approach to the care provided in nursing homes. The role also has the potential to reduce nurse/aide burn-out, improve nursing home workforce retention, and significantly enhance the care provided in nursing homes.

Approximately 38 states already authorize medication aides to perform these tasks in nursing homes. Here in New York, the Office for People with Developmental Disabilities (OPWDD) allows unlicensed direct care staff to administer medications after receiving advanced training.

Due to staffing shortages and lack of available RNs, LPNs, and aides, some licensed staff in nursing homes are spending the majority of their shift passing medications to residents, while there are numerous other clinical tasks awaiting them. Creating a CMA role would enable nurses to perform at the top of their scope. Nurses already supervise CNAs in nursing homes. **This bill does not create more job responsibilities for nurses and aides,** rather, it allows for the more collaborative and efficient allocation of caregiving responsibilities, while fostering career growth and advanced training opportunities to those who are interested in them.

Under this legislation, medication aides would need to be CNAs with at least a high school diploma or equivalent and a year of experience working in a nursing home. They'd undergo training, demonstrate competencies (as determined by the Commissioners of Education and Health), pass an examination, and work under the supervision of an RN. The CMA would not be eligible to administer *all* medications; parameters and limitations are built into the approach to ensure safety. Further, they would perform only tasks assigned by an RN, and only after demonstrating to the RN that they are competent to perform all authorized tasks.

The need for this legislation is urgent due to ongoing healthcare workforce shortages which are contributing to reduced access to nursing home care and subsequent backups in hospitals. When nursing homes can't find the staff they need to admit more patients, they have no choice but to limit new admissions and take beds out of operation. Today, there are 5,600 fewer nursing home beds available in New York than there were in 2019. This is a direct result of staffing challenges and inadequate Medicaid reimbursement.

Adequate Medicaid reimbursement is essential to enable nursing homes to recruit and retain staff, offer more competitive wages, and cover rising costs. **This legislation to authorize Medication Aides, together with a rate increase, would offer a powerful and rapid response to the staffing crisis in nursing homes.** Unlike longer term strategies, such as nursing scholarships and building new training programs, Medication Aides can be trained relatively rapidly at a low cost. New York can borrow from other state curricula, and from the training developed for OPWDD settings, to enable the relatively quick implementation of a safe and effective CMA training and certification processes that fits our state.

Overall, this legislation offers a practical and effective way to help address staffing shortages and improve care in nursing homes. Failing to adopt tested approaches to meet the needs of older New Yorkers is short-sighted; the alternative may mean ongoing staffing shortages and lack of access to nursing home beds for people who need one. **For these reasons, LeadingAge NY supports A.1272 (Clark) and urges that it be adopted.**

LeadingAge New York represents over 400 not-for-profit and public long-term care providers, including nursing homes, home care agencies, senior housing, retirement communities, assisted living, adult care facilities, adult day health care and managed long term care.

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