

SENATE, No. 1518

STATE OF NEW JERSEY

INTRODUCED OCTOBER 3, 1996

By Senator SINAGRA

1 AN ACT concerning home health care and supplementing P.L.1991,
2 c.377 (C. 45:11-45 et seq.).

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Notwithstanding the provisions of any other law to the
8 contrary, a home health care agency licensed pursuant to P.L.1971,
9 c.136 (C.26:2H-1 et seq.) or its employees who are registered
10 professional nurses may purchase, store or transport for the purpose
11 of administering to their home health patients the following
12 noncontrolled drugs: sterile saline solution, sterile water,
13 adrenalin/epinephrine, diphenhydramine hydrochloride, heparin flush
14 solution and any other noncontrolled drug approved by the New Jersey
15 Board of Nursing, in consultation with the State Board of Medical
16 Examiners and the New Jersey Board of Pharmacy. Such drugs shall
17 only be administered pursuant to protocols utilized by a health care
18 professional licensed to prescribe drugs in New Jersey.

19 The New Jersey Board of Nursing, in consultation with the State
20 Board of Medical Examiners and the New Jersey Board of Pharmacy,
21 may adopt rules and regulations establishing minimum standards for
22 the purchase, storage, handling, use and disposal of such drugs
23 pursuant to this act.

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25 2. This act shall take effect on the 60th day after enactment.

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STATEMENT

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30 This bill would permit a home health care agency or its employees
31 who are registered professional nurses to carry various noncontrolled
32 prescription drugs without a specific patient prescription. These drugs
33 include sterile saline solution, sterile water, adrenalin/epinephrine,
34 diphenhydramine hydrochloride and heparin flush solution, which are
35 often needed by home care nurses for both routine and emergency use.
36 The bill would enable home health care agencies to stock such
37 medications and allow their nurses to carry and use them in situations

1 where a health care professional has prescribed their use.

2 Several states, including New Hampshire, Connecticut,
3 Massachusetts, Maine, Texas, Michigan, Arkansas, California and New
4 Mexico, have passed similar legislation permitting home health care
5 agency nurses to carry saline solution and sterile water.

6 The committee amendments substitute the generic term,
7 "diphenhydramine hydrochloride" for "benedryl." The latter is the
8 trade name for an antihistamine used to treat allergic conditions, such
9 as hay fever and rhinitis, and in cough mixtures.

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15 Allows home health care agencies to possess and administer certain
noncontrolled prescription drugs.