

212 Rulemaking Act, and ~~[in accordance with]~~ the standards of the profession.

213 (21) "Unprofessional conduct" means the same as that term is defined in Sections
214 58-1-501 and 58-31b-502 and as may be further defined by division rule made in accordance
215 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

216 Section 3. Section **58-31b-308.1** is enacted to read:

217 **58-31b-308.1. Delegation of medical care by a responsible caregiver.**

218 (1) As used in this section:

219 (a) "Patient" means an individual who is receiving medical care from a responsible
220 caregiver.

221 (b) "Residence" means the location that an individual regularly resides.

222 (c) "Responsible caregiver" means a patient's ~~H~~→ spouse, adult child, ←~~H~~ parent, foster
222a parent, or legal guardian

223 who is primarily responsible for providing medical care to the patient.

224 (d) "Unlicensed direct care worker" means any unlicensed individual, regardless of
225 title, who is 18 years of age or older and to whom a responsible caregiver delegates under this
226 section.

227 (2) A responsible caregiver may delegate to an unlicensed direct care worker the
228 performance of medical care that is provided to a patient in the responsible caregiver's
229 residence if:

230 (a) the patient's condition is stable;

231 (b) the responsible caregiver routinely provides the medical care for the patient;

232 (c) the medical care is considered routine care for the patient; and

233 (d) performance of the medical care:

234 (i) poses little potential hazard for the patient; and

235 (ii) is generally expected to produce a predictable outcome for the patient.

236 (3) Before an unlicensed direct care worker may perform medical care delegated under

237 Subsection (2), the responsible caregiver shall train the unlicensed direct care worker to

238 perform the medical care and verify the unlicensed direct care worker is able to competently

239 perform the medical care for the patient after training is complete.