

Medication Administration and
Delegation
December 2010

General

- Goal
 - Help you have better understanding of medication administration
- Session expectations
 - Pay attention
 - Stay awake
 - Turn Cell phone to off or silence it.
 - If you MUST take call, please step out
 - If you have questions...ask

Nursing Delegation - Medication Administration

- ▶ Often used and assumed to mean the same
- ▶ NOT the same thing
- ▶ What is the difference???

Prior to 2003

- ▶ All the same
- ▶ Everything required delegation by a nurse
- ▶ Hence ... terms often interchanged.
 - All medication administration was "delegated nursing"
- ▶ Changed in 2003 – new laws and rules were enacted.

What is Nursing Delegation?

- ▶ Ohio Board of Nursing says:
 - Ohio Administrative Code (Rule) 4723-13-01 (C)
 - "Delegation" means the transfer of responsibility for the performance of a selected nursing task from a licensed nurse authorized to perform the task to an individual who does not otherwise have the authority to perform the task.

Nursing Delegation

- ▶ ALWAYS requires delegation
- ▶ In general can be done wherever a nurse works
- ▶ NOT specific to the field of developmental disabilities
- ▶ Not just about medication or health related activities
- ▶ In some cases does not require staff to be certified.
- ▶ Governed under the Ohio Board of Nursing's laws and rules that govern the practice of nursing

What is Medication Administration of the Field of Developmental Disabilities?

- ▶ **According to Ohio Administrative Code 5123:2-6-03**
 - **Authorization of MR/DD personnel to administer prescribed medications, perform health-related activities, or perform tube feedings.**
 - **Section (A) says**
 - Effective December 31, 2003, MR/DD personnel who are not specifically authorized by other provisions of the Revised Code to administer prescribed medications, perform health-related activities, or perform tube feedings may do so pursuant to section 5123.42 of the Revised Code and rules adopted by the department under this chapter as part of the specialized services the MR/DD personnel provide to individuals...
 - Rule further defines where this can happen

Medication Administration – In the field of Developmental Disabilities...involves..

- ▶ Administration of medications or doing one of the Health Related Activities based on rules established by the Ohio Department of Developmental Disabilities
- ▶ Can be done by unlicensed staff if guidelines are met
- ▶ Can ONLY do those things listed in the laws and rules
- ▶ Always requires staff to be certified
- ▶ Governed under the Ohio Department of DD
- ▶ **MAY** or **MAY NOT** require nursing delegation based on the setting.
 - OAC 5123:2-6-03 or
 - 1 page overview in curriculum

Summary of Differences –Delegation vs. Medication Administration

- ▶ **Nursing Delegation**
 - Always requires a nurse
 - Could be things other than medication administration and/or Health related activities
 - Does not necessarily require certification
 - Under OBN
- ▶ **Medication administration by unlicensed staff in the field of DD**
 - Always requires certification
 - Can only do things listed in rules and laws
 - May not necessarily require a nurse depending on what is being done and where it is being done
 - Under ODODD

Family Delegation

- ▶ Law
 - ORC 5123.47
- ▶ Individual being served must live with family member as defined in law
 - parent, sibling, spouse, son, daughter, grandparent, aunt, uncle, cousin, or guardian
- ▶ Provider must be an independent provider
- ▶ Provider cannot be an agency provider
- ▶ Family member can train, supervise, and delegate to that staff person

Delegating Family Member

- ▶ Must be primary supervisor of care
- ▶ Shall obtain a prescription, if applicable
- ▶ Shall provide written instructions from a health care professional for the care to be provided
- ▶ Shall authorize the unlicensed in-home care worker to provide the care by preparing a written document granting the authority.
- ▶ Shall provide the unlicensed in-home care worker with appropriate training and written instructions in accordance with the instructions obtained from the health care professional.

County Board

- ▶ May evaluate authority granted by a family member under this section... at any time it considers necessary
- ▶ Shall evaluate that authority on receipt of a complaint.
- ▶ If the board determines family member has acted in a manner that is inappropriate for the health and safety of the individual receiving the care, family delegation can be stopped.
- ▶ In doing so must follow ORC 5123.06 and shall provide the family member an opportunity to file a complaint - follow appeal process

Where to Find the Rules

- ▶ ODODD web page
- ▶ <https://odmrdd.state.oh.us>
- ▶ "Rules and Laws"
- ▶ On left side of screen click on "Rules in Effect"
- ▶ Go to specific section for med admin 5123:2-6-XX

Rules As of 2003

Chapter 5123:2-6	Administration of Prescribed Medications, Performance of Health-Related Activities, and Performance of Tube Feedings
5123:2-6-01	Definitions
5123:2-6-02	Self administration or assistance with the self administration of prescribed medication
5123:2-6-03	Authorization of DODD personnel to administer prescribed medications, perform health-related activities, or perform tube feedings
5123:2-6-04	Qualifications, training, and certification of registered nurses to train DODD personnel in the administration of prescribed medications, performance of health-related activities, and performance of tube feedings
5123:2-6-05	Qualifications and training for registered nurses to train DODD personnel and for DODD personnel in the administration of prescribed medications and the performance of tube feedings for individuals of a residential facility with seventeen or more beds who are on a field trip from the facility
5123:2-6-06	Qualifications, training, and certification of DODD personnel in the administration of prescribed medications, performance of health-related activities, and performance of tube feedings
5123:2-6-07	General provisions and compliance in the administration of prescribed medications, performance of health-related activities, and performance of tube feedings

Overview Page in Curriculum

- ▶ ODODD web page
- ▶ <https://odmrdd.state.oh.us>
- ▶ Click on "Health and Safety"
- ▶ On left side of screen click on "Medication administration"
- ▶ Under "Resources" click on "Medication Administration Reference Grid"

Terms to use

- ▶ Unlicensed certified staff
 - DD personnel
 - Defined in rule
 - OAC 5123:2-6-01
 - DD Personnel ARE certified by DODD to administer some medications and to complete the 8 Health Related Activities.
 - May be with or with out delegation depending on setting and the task - see grid

Problems Due To Using Incorrect terms

- ▶ Improper answers to questions
 - You may be talking about the direct care staff and the person thinks you are really talking about the nurses
 - Rules for certification are different
 - Rules for renewal are different
 - What they can do according to law and rule is completely different

Using Incorrect Terms

- ▶ Possibly set someone up - potentially look like practicing nursing without a license.
 - Punishable as a criminal offense

What is “practicing nursing without a license?”

- ▶ Person with no nursing license, training and education using title such as “nurse”, “graduate nurse”, “professional nurse” or using initials such as “RN”, “LPN”, “GN”, or “PN”
- ▶ A business identifying a person as above

Ramifications

- ▶ For non-nurse, nursing student, nurse with a suspended license or in some instances an out of state licensee
 - Felony charges
- ▶ For nurse with lapsed license of inactive license
 - Misdemeanor charges

Be sure – Be safe

- ▶ Use correct terms
- ▶ Follow guidelines established in Laws and Rules
