

Erie County Board of Mental Retardation and Developmental Disabilities

Health and Safety

February 2005

DELEGATED NURSING

I. PURPOSE:

The purpose of this policy is to insure the protection of all persons in all Board operated programs and address the authority of MRDD personnel to administer prescribed medication or tube feedings, to perform delegable nursing tasks, or health related activities upon individuals receiving services of the county board, including early intervention, preschool, school age, and adult services. This policy shall require the establishment of procedures, which clearly state the process by which this policy shall be implemented.

REFERENCES: Sections 5123.41 to 5123.47 of the Ohio Revised Code; 5123:2-6-01 to 5123:2-6-07 Ohio Department of Mental Retardation and Developmental Disabilities; Chapters 4723-13 and 4723-21 of the Administrative Code from the Ohio Board of Nursing (OBN).

II. DEFINITIONS:

A. Delegable nursing tasks: a nursing task, which a licensed nurse has determined meets the provisions listed in Chapter 4723-13 of the Ohio Administrative Code.

B. Health related activities: means the following:

- Taking vital signs;
- Application of clean dressings that do not require health assessment;
- Basic measurement of bodily intake and output;
- Oral suctioning;
- Use of glucometer;
- External urinary catheter care;
- Emptying and replacing colostomy bags;
- Collection of specimens by noninvasive means.

C. MRDD personnel: the employees and the workers under contract who provide specialized services to individuals with mental retardation and developmental disabilities. "MRDD personnel" includes those who provide the services as follows:

- Through direct employment with the department of mental retardation and developmental disabilities or a county board of mental retardation and developmental disabilities; or
- Through an entity under contract with the department of MRDD or a county board of MRDD; or
- Through direct employment or being under contract with private entities, including private entities that operate residential facilities.

D. Other definitions are defined in ODMRDD Rule 5123:2-06-01

Erie County Board of Mental Retardation and Developmental Disabilities

Health and Safety

February 2005

DELEGATED NURSING

III. POLICY:

The Erie County Board of MRDD fully recognizes the challenges in meeting complex health care needs of persons with mental retardation and other developmental disabilities. The Board acknowledges that services must be provided to meet these needs according to the enrollee's capabilities and to encourage them to achieve maximum functioning in the least restrictive environment(s). However, by so doing the health, safety and nursing care needs of consumers should not be compromised.

The Ohio Board of Nursing has the authority to regulate the practice of nursing so as to protect the health and safety of the public. Furthermore, the provision of nursing care by unqualified persons is not in the best interest of public health, safety or welfare.

It is the position of the Erie County Board of MRDD in accordance with the Ohio Board of Nursing and the Ohio Department of MRDD that the promotion of safe and accessible nursing care for the public can incorporate the trained unlicensed MR personnel and that the changes in the health care environment have and will continue to alter the scope of nursing practice and its relationship to the activities delegated to the trained unlicensed MR personnel.

In order to meet the nursing care needs of the Board enrollees in accordance with the Law Regulating the Practice of Nursing as defined in Chapter 4723 of the Ohio Revised Code delegation of health related activities, nursing tasks and medication/tube feeding administration may occur if the following criteria are adhered to:

- A. A Registered or a Licensed Practical Nurse under the direction of a Registered Nurse shall be designated to oversee the implementation of this policy and procedures as outlined.
- B. The superintendent shall identify by name or position, training, qualifications, or similar designation the MRDD personnel who will be trained to administer prescribed medication/tube feedings, perform nursing tasks and/or health related activities.
- C. Only MRDD personnel who have successfully completed training including individual specific training that meets the standards established by Chapters 4723-13 and 4723-21 of the Administrative Code for the Ohio Board of Nursing shall be permitted to administer medication/tube feedings or perform nursing tasks and/or health related activities.
- D. The Board shall permit the administration of prescribed medication/tube/feedings and/or performing of nursing tasks and health related activities while on field trips, while being transported in a vehicle

Erie County Board of Mental Retardation and Developmental Disabilities

Health and Safety

February 2005

DELEGATED NURSING

operated or under contract with the Board, or while the individual is involved in any other activity under the Board's authority and as long as there is MRDD personnel who are certified by the ODMRDD to administer prescribed medication/tube feedings or perform nursing tasks and health related activities. The administration of prescribed medication/tube feedings and/or performing of nursing tasks and health related activities shall be permitted in the State of Ohio only.

- E. Prior to delegating nursing tasks and/or health related activities, the delegating licensed nurse shall:
 - 1. Assess the individual and complete an evaluation under which the delegated task(s) or delegated prescribed medication or tube feeding administration will be done and will provide individual specific training to the certified MRDD personnel.
 - 2. Document the assessment summary and completed training in the Statement of Delegation (Fm#HS004).
- F. A registered nurse shall reassess delegated activities and the needs of the individual on an ongoing basis, but at least annually, including determination that:
 - 1. the delegation continues to be necessary and appropriate
 - 2. the individual continues to be stable,
 - 3. the MRDD personnel continue to have the skills to perform the nursing task(s), activity(ies), or prescribed medication or tube feeding administration that have been delegated.

The reassessment may be more frequent if necessary in the judgment of the delegating registered nurse.

- G. The nurse designated by the Erie County Board of MRDD to implement this policy may delegate to MRDD personnel who are certified by ODMRDD to administer prescribed medication, administer tube feedings, perform nursing tasks or health related activities authority to give or apply prescribed medications, administer tube feedings or medications per stable feeding tube, perform nursing tasks and health related activities only if all the following conditions stated herein are met.
 - 1. The nurse has received, from the enrollee, parent, guardian, advocate, or residential provider, a completed Permission to Administer Medication form (Fm#HS001) or Medical Procedure Permission form (Fm#HS003) signed by a licensed health care professional with prescriptive authority in Ohio or written orders that are signed by a licensed health care professional with prescriptive authority in Ohio. The permission form must also be signed by the individual or his/her guardian; or if the individual is under 18 years of age, the individual's parent/guardian.
 - 2. In the case of prescribed medication, tube feeding, nursing task, or health related activities prescribed by a licensed health care

Erie County Board of Mental Retardation and Developmental Disabilities

Health and Safety

February 2005

DELEGATED NURSING

professional with prescriptive authority in the state of Ohio, the nurse shall receive from the health care professional a signed statement containing all of the following information:

- a. The name, address, and date of birth of the enrollee;
 - b. Name of medication, dosage and route; name of tube feeding solution and amount to be given; nursing task, or health related activity requested;
 - c. Administration schedule (times or intervals);
 - d. Possible severe adverse reactions or side effects that should be reported to the licensed health care professional;
 - e. Special instructions for storage and/or sterile requirements;
 - f. Date when medication/procedure, starts and ends;
 - g. Signature and printed name of prescribing licensed health care professional authorized by the Ohio Revised Code to prescribe medication including address and telephone number;
 - h. Date of authorization request;
3. The enrollee or his/her parent, guardian, advocate or residential provider agrees to submit a revised Permission to Administer Medication form or a Medical Procedure Permission form signed by the health care professional if any of the information provided per section (G) (2) changes. Written medication changes may also be accepted if signed by the licensed health care professional with prescriptive authority in Ohio and attached to a Permission to Administer Medication form or a Medical Procedure Permission form.
 4. On receipt of a revised Permission to Administer Medication form, Medical Procedure Permission form, or written orders, the Program Nurse responsible for implementing the Board's policy shall immediately give a copy of the revised statement to any certified MRDD personnel who has been authorized to administer a prescribed medication to an enrollee, administer a tube feeding, or perform a nursing task and/or health related activity on the enrollee.
- H. Any certified MRDD personnel may administer prescribed medication or give a tube feeding to an enrollee or perform a delegated nursing task or health related activity only if all the following conditions have been met:
1. The certified MRDD personnel has received from the Program Nurse a copy of the Permission to Administer Medication form or Medical Procedure Permission form under section (G) and any revised form received by the nurse.
 2. Prescribed medication is received by the MRDD personnel in a pharmacy labeled container with the enrollee's name, for whom the medication is prescribed, the name of the drug, the dosage to be administered and the name of the prescribing health care professional.

Erie County Board of Mental Retardation and Developmental Disabilities

Health and Safety

February 2005

DELEGATED NURSING

3. The certified board of MRDD personnel have been trained as set forth in Chapters 4723-1 and 4723-21 of the Ohio Administrative Code for the Ohio Board of Nursing and 5123:2-6-03 of the rules adopted by the ODMRDD. This includes individual specific training.
 - I. Certified MR/DD personnel shall administer prescribed medication or tube feedings, perform a nursing task, or health related activity only under the direction and supervision of the nurse who has the ability to delegate the authority to administer medication, administer tube feedings, perform a nursing task, or perform a health related activity. Certified MRDD personnel shall have appropriate supervision as set forth in Chapters 4723-13 and 4723-21 of the Ohio Administrative Code for the Ohio Board of Nursing and 5123:2-6-03 of the rules adopted by the ODMRDD.
 - J. A nurse who delegates authority to administer prescribed medication, administer tube feedings, perform a nursing task, or perform a health related activity remains responsible for the care of the enrollee.

A certified MR/DD personnel, authorized to administer prescribed medication, administer tube feedings, perform a delegated nursing task, or perform health related activities, is not liable for any injury caused by the prescribed medication, tube feeding, nursing task, or health related activity if the following criteria are adhered to:

- A. Prior to administering the prescribed medication, or tube feeding, performing the nursing task or health related activity, the certified MRDD personnel is provided a copy of the Permission to Administer Medication form or Medical Procedure Permission form as required by Section (G) or a revised form.
- B. The certified MRDD personnel administers prescribed medication, administers tube feedings, performs a nursing task or health related activity in accordance with the methods taught in the required training as stated in chapters 4723-13 and 2734-21 of the Ohio Administrative Code for the Ohio Board of Nursing and 5123:2-6-06 of the rules adopted by ODMRDD.
- C. Step by step guidelines are available on site to the certified MRDD personnel when performing a nursing task, or health related activity or when administering a prescribed medication or tube feeding.
- D. Training for nursing tasks, health related activities, and administration of prescribed medications or tube feedings will be individualized to the specific enrollee. Certified MRDD personnel shall receive training from the licensed nurse specific to that enrollee.
- E. The certified MRDD personnel do not act in a manner that constitutes wanton or reckless misconduct.

If the County Board believes or is notified by the ODMRDD, a delegating licensed nurse or the RN responsible for the quality assessment that MRDD personnel have not safely administered or will not safely administer prescribed medications, have not

Erie County Board of Mental Retardation and Developmental Disabilities

Health and Safety

February 2005

DELEGATED NURSING

safely performed or will not safely perform health related activities, have not safely administered or will not safely administer food or prescribed medication via stable labeled gastrostomy tube and stable jejunostomy tube, the board shall:

- A. Prohibit the action from continuing or commencing
- B. Immediately make other staffing arrangements so that services are completed as prescribed;
- C. If applicable, immediately notify the county board Investigative Agent via the MUI reporting system, and if applicable, the county board shall notify the RN responsible for quality assessment oversight; and
- D. If applicable, immediately notify the delegating licensed nurse.

It is furthermore the policy of this board to maintain full compliance with applicable statutes and rules of both the Ohio Board of Nursing and the Ohio Department of MRDD in the appropriate implementation of this policy on delegation by licensed nurses with the authority to delegate to certified MRDD personnel to administer medication or tube feedings, perform nursing tasks and/or health related activities. The Board agrees to take immediate corrective action to bring the Board's programs, services, and supports into full compliance with applicable statutes and rules when findings of any investigation reveal that the Board is out of compliance.

IV. Self Administration of Prescribed Medication:

- A. An individual who can safely self-administer medication or receive assistance with self-administration of medication has the right to self-administer medication or receive assistance with the self-administration of medication.
- B. Based on an assessment (Self Administration Assessment form – Fm#HS005), the individual's service plan (ISP) shall document when the individual cannot safely self-administer prescribed medications or receive assistance with self-administration of prescribed medication. The assessment used to determine when an individual cannot safely self administer or receive assistance with self-administration of prescribed medication shall be reviewed annually and a new assessment shall be conducted at least every three years.

Erie County Board of Mental Retardation and Developmental Disabilities

Health and Safety

February 2005

DELEGATED NURSING

PROCEDURE

I. Authorization to perform nursing tasks and health related activities

A. General

- 1) Policy approved by the Erie County Board of MRDD for medication administration will be followed. (*See "Medication Administration" Policy and Procedure*).
- 2) Nursing and/or certified MRDD personnel are not permitted to assume the responsibility for administering any medication, tube feeding or perform a nursing task or health related activity unless a completed Permission to Administer Medication form or Medical Procedure Permission form or some type of written authorization is received.
- 3) Written authorization is valid for one (1) year only. At the end of that time, a new permission form must be received.
- 4) Any change in medication, dosage, or medical procedure requires a new permission form to be submitted or a written request signed by the licensed health care professional with prescriptive authority in Ohio.
- 5) Any certified MRDD personnel authorized to administer prescribed medications/tube feedings or perform delegated nursing tasks/health related activities will comply with the universal precautions standard established by the Board.
(*See Control of Occupational Exposure to Bloodborne Pathogens and Other Potentially Infectious Materials.*)

II. Supervision of Medication/Tube Feeding Administration and Nursing Task/Health Related Activity

- A. The delegating nurse shall conduct an assessment with the enrollee. Assessment will include a general nursing and Self Medication Assessment to determine the needs of the enrollee. If enrollee requires delegated nursing services, the level of nursing supervision certified MRDD personnel will require to administer medication/tube feedings or perform nursing tasks/health related activities, will be determined by the delegating nurse. The nursing task/health related activity will also be determined and documented in the individual's IEP/ISP/IP/IFSP.
- B. If indirect supervision is provided the nurse shall be available via some type of telecommunications with phone number located in central location so that the nurse can be contacted in an expedient manner. If unable to contact the delegating nurse, numbers will be provided to contact the backup nurse. (After facility hours, the on call administrative person may be contacted and in turn contact the Program Nurse.)

Erie County Board of Mental Retardation and Developmental Disabilities

Health and Safety

February 2005

DELEGATED NURSING

- C. If direct supervision is required, certified MRDD personnel shall have immediate access to a paging system with capabilities of broadcasting the need for the nurse immediately.
- D. Communication between the delegating nurse and the certified MRDD personnel shall occur when there are changes in medication, tube feedings, nursing task, and/or health related activities. The delegating nurse shall keep documentation of this communication.

III. Reporting Errors

- A. Any error, such as administration of the incorrect dosage, failure to administer within the prescribed timelines or conditions, or other error as is defined in rule 5123:2-6-07 from ODMRDD, in administering of medication/tube feeding or completing an ordered nursing task and/or health related activity shall be reported on an Unusual Incident/MUI Report Form (Fm# IR002) no more than twenty-four (24) hours later. The error will be reported to the nurse immediately. The nurse shall take the appropriate emergency steps as indicated.
- B. The parent/guardian/advocate, residential provider, and licensed health care professional shall be notified of the error in a timely manner depending on the severity of the error.

IV. PRN (emergency, as needed) Orders

- A. PRN orders can be accepted for an individual and must follow the procedures as any medication, nursing task and/or health related activity.
- B. PRN orders will only be delegated if nursing judgment is not involved. PRN orders must give clear parameters.

V. Over the Counter Medications

- A. Administration of over the counter medications shall be treated the same as prescribed medications.

VI. Training Requirements and Record Keeping

- A. Certification training and retraining of the nurse and of MRDD personnel shall be conducted as specified in Chapters 4723-21, 4723-13 from the Administrative Code from the Ohio Board of Nursing and from 5123:2-6-06 from ODMRDD.
- B. "Train the Instructor" Certification training completion for the Registered Nurse(s) shall be maintained in their personnel file. MRDD personnel who are certified to administer medications, administer tube feedings, perform nursing tasks, or health related activities will have their certificate(s), issued by the ODMRDD, maintained in their personnel file. The delegating nurse shall maintain skill checklists.

Erie County Board of Mental Retardation and Developmental Disabilities

Health and Safety

February 2005

DELEGATED NURSING

- C. The delegating nurse may at anytime revoke or suspend MRDD personnel certification to administer medications, administer tube feedings, perform nursing tasks and/or health related activities as stated in ODMRDD rule 5123:2-6-07.

VII. Documentation of Medication/Tube Feeding Administration and/or Nursing Task/Health Related Activity Completion

- A. Documentation for each time a medication is given shall be documented on the Medication Administration Record (MAR). (Fm#HS002)
- B. Documentation for Nursing Task/Health Related Activity shall be documented on monthly DDF (Daily Documentation Form) or procedure form as directed by the Program Nurse.
- C. Documentation of all medications, missed, held or refused shall be documented on the MAR. (*See Medication Administration Policy/Procedure.*)
- D. Documentation of health related activity being missed, held, or refused shall be documented on the back of the DDF or the procedure form.
- E. Documentation of tube feedings missed, held or refused shall be done on the tube feeding administration record. A notation of reason for tube feeding being missed, held or refused shall be done on the back of the tube feeding administration record.
- F. Documentation shall be reviewed by the delegating nurse on a monthly basis.
- G. Documentation will be maintained by the nursing department.

VIII. Delegation

- A. Delegation Statements listing the certified MRDD personnel whom are able to administer medications/tube feedings, perform nursing tasks/health related activities to a specific enrollee will be maintained in the enrollee's permanent file. A copy will also be kept in the enrollee's health file in the nursing clinic.
- B. Enrollees who are receiving delegated nursing services must have this documented in their IFSP/IEP/IP/ISP and there must be a nursing assessment indicating the need for delegated nursing services including the need for indirect vs. direct nursing supervision. Delegation and the needs of an enrollee will be assessed on an ongoing basis but at least annually and documented.

IX. Responsibility of Board Employees

- A. Before any certified MRDD personnel shall administer medications/tube feedings, perform a nursing task and/or health related activity, he/she shall complete training as specified in Chapters 4723-13 and 2734-21 of the

**Erie County Board of Mental Retardation and Developmental
Disabilities**

Health and Safety

February 2005

DELEGATED NURSING

Administrative Code for the Ohio Board of Nursing and rule 5123:2-6-06 from ODMRDD.

- B. Prior to receiving training, the Board shall conduct a background check of each employee through the Nurses Aide Registry, the Bureau of Criminal Identification and Investigation and Abuser Registry and document results. If the results indicate a prior conviction, the employee will be refused to enter training.
- C. When administering medication/tube feedings, performing a nursing task and/or health related activity, the MRDD personnel shall utilize the concept of universal precautions and shall take all necessary precautions to reduce exposure to and the spreading of communicable diseases.

X. Nursing Standard Operating Procedures

- A. Each delegating nurse shall maintain an up-to-date manual of standards which specifies and details daily and routine operations. This manual shall be available at all times to all certified MRDD personnel who administer medications/tube feedings, perform nursing tasks and/or health related activities.