

5123:2-3-09

Medication.**(A) Purpose**

This rule outlines the criteria and requirements for the administration, documentation, storage, and disposal of prescribed and OTC medication in a residential facility.

(B) Definitions

- (1) "Drug" has the same meaning as in section 5123.42 of the Revised Code and rule 5123:2-6-01 of the Administrative Code.
- (2) "Health-related activities" has the same meaning as in section 5123.42 of the Revised Code and rule 5123.2-6-01 of the Administrative Code.
- (3) "Licensed health professional authorized to prescribe drugs" has the same meaning as in section 5123.41 of the Revised Code and rule 5123:2-6-01 of the Administrative Code
- (4) "Licensed nurse" has the same meaning as in section 5123.41 of the Revised Code and rule 5123:2-6-01 of the Administrative Code.
- (5) "MR/DD personnel" has the same meaning as in section 5123.42 of the Revised Code and rule 5123:2-6-01 of the Administrative Code.
- (6) "Oral prescribed medication" has the same meaning as in rule 5123:2-6-01 of the Administrative Code.
- (7) "Over-the-counter (OTC) medication" means medications, herbal remedies or other forms of complementary alternative medicine, or supplements sold to the general public that do not require a prescription. When an OTC medication is prescribed by a licensed health professional authorized to prescribe drugs, the medication is to be treated as though it is a prescribed medication.
- (8) "Prescribed medication" has the same meaning as in section 5123.42 of the Revised Code and rule 5123:2-6-01 of the Administrative Code.
- (9) "Prescribed medication error" has the same meaning as in rule 5123:2-6-01 of the Administrative Code.
- (10) "Prescribed medication via stable labeled gastrostomy tube or stable labeled jejunostomy tube" has the same meaning as in rule 5123.2-6-01 of the Administrative Code.
- (11) "Subcutaneous insulin injection" has the same meaning as in rule 5123.2-6-01 of the Administrative Code.

(12) "Topical prescribed medication" has the same meaning as in rule 5123:2-6-01 of the Administrative Code.

(13) "Tube feeding" has the same meaning as in section 5123.41 of the Revised Code and rule 5123:2-6-01 of the Administrative Code.

(C) Self-administration or assistance with self-administration of prescribed medication

Self-administration or assistance with the self-administration of prescribed medication shall be done in accordance with rule 5123:2-6-02 of the Administrative Code.

(D) Delegation of nursing tasks

Delegation of nursing tasks, excluding the provision of health-related activities, shall be done in accordance with Chapter 4723-13 of the Administrative Code.

(E) Administration of prescribed medications, performance of health-related activities, performance of tube feedings, and administration of subcutaneous insulin injections

(1) The licensee shall adhere to the applicable standards for giving oral prescribed medications or applying topical prescribed medications, performing health-related activities, administering food or prescribed medication via stable labeled gastrostomy tube or stable labeled jejunostomy tube, or administering subcutaneous insulin injection established under sections 5123.42 to 5123.46 of the Revised Code and rules adopted by the department under Chapter 5123:2-6 of the Administrative Code.

(2) Prescribed medications shall be given to only those individuals for whom they are prescribed.

(3) The dose, time, frequency, or route of administration shall not be changed, substituted, or omitted except on the order of a licensed health professional authorized to prescribe drugs or a licensed nurse acting within the scope of his/her practice.

(4) MR/DD personnel holding a valid certificate issued under rule 5123:2-6-06 of the Administrative Code in facilities of one to sixteen individuals may receive and transcribe a written or oral order for giving oral and/or applying topical prescribed medication currently ordered for a specific individual and for performing health-related activities, excluding administering prescribed medication or food via a stable labeled gastrostomy or stable labeled jejunostomy tube or administering subcutaneous insulin injections.

(a) If the prescribed medication ordered is not one the individual is currently taking, the MR/DD personnel shall contact the licensed health

professional authorized to prescribe drugs to order the medication by either calling the order to a pharmacy or providing a written prescription that can be transmitted to a pharmacy either electronically or in person.

(b) Upon receipt of the prescribed medication from the pharmacy, the MR/DD personnel shall copy the information regarding the medication, and how it should be given, from the pharmacy package to the medication administration record.

(c) Following completion of paragraphs (E)(4)(a) and (E)(4)(b) of this rule, the administration of the new prescribed medication may begin.

(d) If an order is given by telephone, the order shall be written in the individual's record and signed by the prescribing licensed health professional within seven days after the order is given.

(5) In a facility of seventeen or more individuals, only a licensed nurse may accept a telephone order for prescribed medication from a licensed health professional authorized to prescribe drugs. If an order is given by telephone, the order shall be written in the individual's record and signed by the prescribing licensed health professional within seven days after the order is given.

(F) Medication review

Unless otherwise indicated by a prescribing licensed health professional authorized to prescribe drugs, or when the individual is self-administering medication, all physician's orders for OTC and prescribed medication shall undergo a documented review at least every three months by a licensed health professional acting within the scope of his/her practice. The licensee shall include all known non-prescribed OTC medication being taken by the individual in each review

(G) Administration of OTC medication

(1) MR/DD personnel may give OTC medication to an individual that has not been prescribed by a licensed health professional and according to recommended dosage instructions when a licensed pharmacist, licensed nurse or other licensed health professional acting within the scope of his/her practice has reviewed a list of intended OTC medications and/or prescribed medications, and has determined that the OTC medications listed would not be contraindicated for the individual.

(2) A list of OTC medications is not required for those individuals who self-administer medication or receive assistance with the self-administration of medication.

(H) Procedures for medication administration

The licensee shall develop written procedures for giving or applying prescribed medication and OTC medication to individuals which includes, but is not limited to, the dose, time, frequency, and route of the medication taken, as well as documenting any significant responses to the medication, occurrences of undesirable side effects of the medication, and errors in medication administration. The licensee shall comply with the requirements for reporting errors established under paragraph (D) of rule 5123:2-6-07 of the Administrative Code. These records shall be retained as part of the individual's record.

(I) Storage and disposal of prescribed and OTC medication

- (1) Medication shall be stored in a secure location that meets the assessed needs of the individual and ensures the health and safety of all the individuals in the facility.
- (2) The licensee shall develop and follow written procedures for the disposal of any medication. These procedures must include that disposal of prescribed medication is verified and recorded by two staff members or by an independent external entity. The disposal of dangerous drugs shall be done in accordance with rule 4729-9-06 ("Disposal of Dangerous Drugs which are Controlled Substances") of the Administrative Code.
- (3) In the event of the death of an individual, an accounting of medication shall be done immediately, but no later than twenty-four hours following the death, and recorded by two staff members. The licensee shall cooperate with any investigation conducted by a legally authorized entity. Disposal of medication shall occur in a manner prescribed in paragraph (I)(2) of this rule, unless an investigation calls for the disposal of medication to be delayed.

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Certification

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