

5123:2-6-03**Authorization of MR/DD personnel to administer prescribed medications, perform health-related activities, or perform tube feedings.**

(A) 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 in the following categories:

- (1) Individuals receiving early intervention, preschool, and school age services offered or provided pursuant to Chapter 5123. or Chapter 5126. of the Revised Code;
- (2) Individuals receiving adult services offered or provided pursuant to Chapter 5123. or Chapter 5126. of the Revised Code;
- (3) Individuals receiving family support services offered or provided pursuant to Chapter 5123. or Chapter 5126. of the Revised Code;
- (4) Individuals receiving services from certified supported living providers, if the services are offered or provided pursuant to Chapter 5123. or Chapter 5126. of the Revised Code;
- (5) Individuals receiving residential support services from certified home and community-based services providers, if the services are received in a community living arrangement that includes not more than four individuals and the services are offered or provided pursuant to Chapter 5123. or Chapter 5126. of the Revised Code;
- (6) Individuals receiving services not included in paragraphs (A) (1) to (A)(5) of this rule that are offered or provided pursuant to Chapter 5123. or Chapter 5126. of the Revised Code;
- (7) Individuals residing in a residential facility with five or fewer beds;
- (8) Individuals residing in a residential facility with at least six but not more than sixteen beds;
- (9) Individuals residing in a residential facility with seventeen or more beds who are on a field trip from the facility, if all of the following are the case:
 - (a) The field trip is sponsored by the facility for purposes of complying with federal medicaid statutes and regulations, state medicaid statutes and rules, or other federal or state statutes, regulations, or rules that require the facility to provide habilitation, community integration, or normalization services to its individuals.

- (b) Not more than five field trip participants are individuals who have health needs requiring the administration of prescribed medications, excluding participants who self-administer prescribed medications or receive assistance with self-administration of prescribed medications.
 - (c) The facility staffs the field trip with MR/DD personnel in such a manner that one person will administer prescribed medications, perform health-related activities, or perform tube feedings for not more than two participants if one or both of those participants have health needs requiring the person to administer prescribed medications through a gastrostomy or jejunostomy tube.
 - (d) According to the instructions of a health care professional acting within the scope of the professional's practice, the health needs of the participants who require administration of prescribed medications by MR/DD personnel are such that the participants must receive the prescribed medications during the field trip to avoid jeopardizing their health and safety.
- (B) Authorization of MR/DD personnel to administer prescribed medications, perform health-related activities, or perform tube feedings by the categories specified in paragraphs (A)(1) to (A)(9) of this rule
- (1) In the case of individuals receiving early intervention, preschool, and school-age services, offered or provided pursuant to Chapter 5123. or 5126. of the Revised Code, all of the following apply:

 - (a) With nursing delegation, MR/DD personnel may perform health-related activities.
 - (b) With nursing delegation, MR/DD personnel may administer oral and topical prescribed medications.
 - (c) With nursing delegation, MR/DD personnel may administer prescribed medications through gastrostomy and jejunostomy tubes, if the tubes being used are stable and labeled.
 - (d) With nursing delegation, MR/DD personnel may perform routine tube feedings, if the gastrostomy and jejunostomy tubes being used are stable and labeled.
 - (2) In the case of individuals receiving adult services, offered or provided pursuant to Chapter 5123. or 5126. of the Revised Code, all of the following apply:

 - (a) With nursing delegation, MR/DD personnel may perform health-related activities.

- (b) With nursing delegation, MR/DD personnel may administer oral and topical prescribed medications.
 - (c) With nursing delegation, MR/DD personnel may administer prescribed medications through gastrostomy and jejunostomy tubes, if the tubes being used are stable and labeled.
 - (d) With nursing delegation, MR/DD personnel may perform routine tube feedings, if the gastrostomy and jejunostomy tubes being used are stable and labeled.
- (3) In the case of individuals receiving family support services, offered or provided pursuant to Chapter 5123. or 5126. of the Revised Code, all of the following apply:
- (a) Without nursing delegation, MR/DD personnel may perform health-related activities.
 - (b) Without nursing delegation, MR/DD personnel may administer oral and topical prescribed medications.
 - (c) With nursing delegation, MR/DD personnel may administer prescribed medications through gastrostomy and jejunostomy tubes, if the tubes being used are stable and labeled.
 - (d) With nursing delegation, MR/DD personnel may perform routine tube feedings, if the gastrostomy and jejunostomy tubes being used are stable and labeled.
 - (e) With nursing delegation, MR/DD personnel may administer routine doses of insulin through subcutaneous injections and insulin pumps.
- (4) In the case of individuals receiving services from certified supported living providers, if the services are offered or provided pursuant to Chapter 5123. or 5126. of the Revised Code, all of the following apply:
- (a) Without nursing delegation, MR/DD personnel may perform health-related activities.
 - (b) Without nursing delegation, MR/DD personnel may administer oral and topical prescribed medications.
 - (c) With nursing delegation, MR/DD personnel may administer prescribed medications through gastrostomy and jejunostomy tubes, if the tubes being used are stable and labeled.

- (d) With nursing delegation, MR/DD personnel may perform routine tube feedings, if the gastrostomy and jejunostomy tubes being used are stable and labeled.
- (e) With nursing delegation, MR/DD personnel may administer routine doses of insulin through subcutaneous injections and insulin pumps.
- (5) In the case of individuals receiving residential support services from certified home and community-based services providers, if the services are received in a community living arrangement that includes not more than four individuals and the services are offered or provided pursuant to Chapter 5123. or 5126. of the Revised Code, all of the following apply:

 - (a) Without nursing delegation, MR/DD personnel may perform health-related activities.
 - (b) Without nursing delegation, MR/DD personnel may administer oral and topical prescribed medications.
 - (c) With nursing delegation, MR/DD personnel may administer prescribed medication through gastrostomy and jejunostomy tubes, if the tubes being used are stable and labeled.
 - (d) With nursing delegation, MR/DD personnel may perform routine tube feedings, if the gastrostomy and jejunostomy tubes being used are stable and labeled.
 - (e) With nursing delegation, MR/DD personnel may administer routine doses of insulin through subcutaneous injections and insulin pumps.
- (6) In the case of individuals receiving services not included in paragraphs (A) (1) to (A)(5) of this rule that are offered or provided pursuant to Chapter 5123. or 5126. of the Revised Code, all of the following apply:

 - (a) With nursing delegation, MR/DD personnel may administer health-related activities.
 - (b) With nursing delegation, MR/DD personnel may administer oral and topical prescribed medications.
 - (c) With nursing delegation, MR/DD personnel may administer prescribed medications through gastrostomy and jejunostomy tubes, if the tubes being used are stable and labeled.
 - (d) With nursing delegation, MR/DD personnel may perform routine tube feedings, if the gastrostomy and jejunostomy tubes being used are

stable and labeled.

(7) In the case of individuals residing in a residential facility with five or fewer beds, all of the following apply:

(a) Without nursing delegation, MR/DD personnel may perform health-related activities.

(b) Without nursing delegation, MR/DD personnel may administer oral and topical prescribed medications.

(c) With nursing delegation, MR/DD personnel may administer prescribed medications through gastrostomy and jejunostomy tubes, if the tubes being used are stable and labeled.

(d) With nursing delegation, MR/DD personnel may perform routine tube feedings, if the gastrostomy and jejunostomy tubes being used are stable and labeled.

(e) With nursing delegation, MR/DD personnel may administer routine doses of insulin through subcutaneous injections and insulin pumps.

(8) In the case of individuals residing in a residential facility with at least six but not more than sixteen beds, all of the following apply:

(a) With nursing delegation, MR/DD personnel may perform health-related activities.

(b) With nursing delegation, MR/DD personnel may administer oral and topical prescribed medications.

(c) With nursing delegation, MR/DD personnel may administer prescribed medications through gastrostomy and jejunostomy tubes, if the tubes being used are stable and labeled.

(d) With nursing delegation, MR/DD personnel may perform routine tube feedings, if the gastrostomy and jejunostomy tubes being used are stable and labeled.

(9) In the case of individuals residing in a residential facility with seventeen or more beds who are on a field trip from the facility, all of the following apply during the field trip, subject to the limitations specified in paragraph (A)(9) of this rule:

(a) With nursing delegation, MR/DD personnel may perform health-related activities.

- (b) With the nursing delegation, MR/DD personnel may administer oral and topical prescribed medications.
 - (c) With nursing delegation, MR/DD personnel may administer prescribed medications through gastrostomy and jejunostomy tubes, if the tubes being used are stable and labeled.
 - (d) With nursing delegation, MR/DD personnel may perform routine tube feedings, if the gastrostomy and jejunostomy tubes being used are stable and labeled.
- (C) The authority of MR/DD personnel to administer prescribed medications, perform health-related activities, and perform tube feedings pursuant to section 5123.42 of the Revised Code and this rule is subject to all of the following:
- (1) To administer prescribed medications, perform health-related activities, administer food or prescribed medication via stable labeled gastrostomy tube and stable labeled jejunostomy tube or administer subcutaneous insulin injection for individuals in the categories specified under paragraphs (A)(1) to (A)(8) and (B)(1) to (B)(8) of this rule, MR/DD personnel shall obtain the certificate or certificates required by the department and issued under 5123.45 of the Revised Code and rule 5123:2-6-06 of the Administrative Code. MR/DD personnel shall administer prescribed medication, perform health-related activities, and perform tube feedings only as authorized by the certificate or certificates held.
 - (2) To administer prescribed medications, perform health-related activities, or administer food or prescribed medication via stable labeled gastrostomy tube and stable labeled jejunostomy tube for individuals in the category specified under paragraphs (A)(9) and (B)(9) of this rule, MR/DD personnel shall successfully complete the training course or courses developed under section 5123.43 of the Revised Code and rule 5123:2-6-05 of the Administrative Code for MR/DD personnel, or obtain the certificate or certificates required by the department and issued under section 5123.45 of the Revised Code and rule 5123:2-6-06 of the Administrative Code. MR/DD personnel shall administer prescribed medication, perform health-related activities, and perform tube feedings only as authorized by the training completed.
 - (3) If nursing delegation is required under paragraph (B) of this rule, MR/DD personnel shall not act without nursing delegation or in a manner that is inconsistent with the delegation.
 - (4) Prior to delegating under this rule, the delegating licensed nurse shall:

 - (a) Assess the individual and complete an evaluation of the conditions under which the delegated task(s) or delegated prescribed medication(s)

administration will be done; and

(b) Select MR/DD personnel that have current training in the MR/DD personnel training pursuant to rule 5123:2-6-05 of the Administrative Code and do individual specific training; or select MR/DD personnel that have current certification in the MR/DD personnel training pursuant to rule 5123:2-6-06 of the Administrative Code and do individual specific training; or if the delegating licensed nurse is qualified as a registered nurse instructor pursuant to rule 5123:2-6-05 of the Administrative Code provide training to the MR/DD personnel pursuant to rule 5123:2-6-05 of the Administrative Code and do individual specific training; and

(c) Document assessment and training.

(5) The employer of MR/DD personnel shall ensure that MR/DD personnel have been trained specifically with respect to each individual for whom they administer prescribed medications, perform health-related activities, administer food or prescribed medication via stable labeled gastrostomy tube and stable labeled jejunostomy tube or administer subcutaneous insulin injections. MR/DD personnel shall not administer prescribed medications, perform health-related activities, administer food or prescribed medication via stable labeled gastrostomy tube and stable labeled jejunostomy tube or administer subcutaneous insulin injection for any individual for whom they have not been specifically trained.

(6) In situations in which nursing delegation is required, the delegating licensed nurse shall also ensure that MR/DD personnel have been trained specifically with respect to each individual for whom they administer prescribed medications, perform health-related activities, administer food or prescribed medication via stable labeled gastrostomy tube and stable labeled jejunostomy tube or administer subcutaneous insulin injections. MR/DD personnel shall not administer prescribed medications, perform health-related activities, administer food or prescribed medication via stable labeled gastrostomy tube and stable labeled jejunostomy tube or administer subcutaneous insulin injection for any individual for whom they have not been specifically trained.

(7) If the employer of MR/DD personnel believes or is notified by the county board, the department, a delegating licensed nurse or the registered nurse responsible for quality assessment pursuant to rule 5123:2-6-07 of the Administrative Code that MR/DD personnel have not safely administered or will not safely administer prescribed medications, have not 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 labeled jejunostomy tube, or have

not safely administered or will not safely administer subcutaneous insulin injections, the employer shall:

- (a) Prohibit the action from continuing or commencing;
 - (b) Immediately make other staffing arrangements so that administration of prescribed medication, performance of health-related activities, administration of food or prescribed medication via stable labeled gastrostomy tube and stable labeled jejunostomy tube, and administration of subcutaneous insulin injections are completed as prescribed, including compliance with the requirements of this chapter of the Administrative Code;
 - (c) If applicable, immediately notify the county board via the major unusual incident reporting system pursuant to rule 5123:2-17-02 of the Administrative Code, and, if applicable, the county board shall notify the registered nurse responsible for quality assessment oversight pursuant to rule 5123:2-6-07 of the Administrative Code; and
 - (d) If applicable, immediately notify the delegating licensed nurse.
- (8) MR/DD personnel shall not engage in the action or actions subject to an employer's prohibition or a delegating licensed nurse's prohibition.
- (9) If the licensed nurse delegating to MR/DD personnel believes that MR/DD personnel have not safely administered or will not safely administer delegated prescribed medications, the delegating licensed nurse shall not authorize the action to commence and shall withdraw authorization for the action to continue. The delegating licensed nurse shall immediately notify the MR/DD personnel's employer and if applicable the registered nurse responsible for quality assessment pursuant to rule 5123:2-6-07 of the Administrative Code. MR/DD personnel shall not engage in the prescribed medication administration requiring nurse delegation without specific authorization from the delegating licensed nurse.
- (10) A registered nurse shall reassess delegation and the needs of the individual on an on-going basis, but at least annually, including determination that delegation continues to be necessary and appropriate, determination that the individual continues to be stable, and determination that the MR/DD personnel continue to have the skills to perform the nursing task(s), activity(ies), or prescribed medication administration that have been delegated. The reassessment may be more frequent if necessary in the judgment of the delegating registered nurse.

Replaces: part of 5123:2-1-07

Effective: 01/08/2004

R.C. 119.032 review dates: 01/08/2009

CERTIFIED ELECTRONICALLY

Certification

12/29/2003

Date

Promulgated Under: 119.03
Statutory Authority: 5123.04, 5123.42, 5123.46
Rule Amplifies: 5123.04, 5123.41 to 5123.47,
5126.36
Prior Effective Dates: 9/30/93 (Emer.), 12/29/93,
5/16/94 (Emer.), 8/6/94,
6/30/95, 2/14/00, 10/22/03
(Emer.)