

5123:2-6-05

Qualifications and training for registered nurses to train MR/DD personnel and for MR/DD 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.

(A) Qualifications and training requirements of registered nurses

(1) Qualifications of instructional personnel for the train the instructor program

A registered nurse, who shall meet the following qualifications, may teach the train the instructor program, or any portion thereof, for a registered nurse:

- (a) Current valid licensure in Ohio to practice as a registered nurse;
- (b) At least sixty months experience in the practice of nursing, of which at least twenty-four months have been in the field of mental retardation and developmental disabilities;
- (c) Knowledge of the laws and rules regulating the practice of nursing, and the laws and rules of the department that address delegation by a licensed nurse to MR/DD personnel and the training of MR/DD personnel pursuant to this chapter;
- (d) Knowledge of and experience with the principles of adult education;
- (e) Successful completion of the train the instructor program and maintenance of the train the instructor program continuing education pursuant to this rule; and
- (f) Authorization from the department to teach the train the instructor program.

(2) The department's nurse consultant or other department registered nurse who is duly authorized by the department may teach the train the instructor program, or any portion thereof, for a registered nurse.

(3) Qualifications to plan, develop, and coordinate an MR/DD personnel program of instruction

- (a) Only a registered nurse who meets the following requirements shall plan, develop, and coordinate a program of instruction that prepares MR/DD personnel to give or apply oral or topical prescribed medications and administer food or prescribed medication via stable labeled gastrostomy tube or stable labeled jejunostomy tube to or for individuals of a residential facility with seventeen or more beds who are on a field trip from the facility, as specified in paragraphs (A)(9) and (B)(9) of rule

5123:2-6-03 of the Administrative Code:

- (i) Current valid licensure in Ohio to practice nursing as a registered nurse;
 - (ii) A minimum of eighteen months experience in the practice of nursing as a registered nurse;
 - (iii) Previous experience caring for an individual with mental retardation and developmental disabilities;
 - (iv) Successful completion of the train the instructor program pursuant to this rule.
- (b) The registered nurse may utilize other licensed health care professionals to assist with conducting the training as long as the other health care professionals have received instruction on the material and are acting within the professional's scope of practice as outlined in the Revised Code. None of the other licensed health care professionals shall teach the class in its entirety, but may serve as a guest instructor at the direction of the registered nurse instructor.
- (c) Licensed practical nurses may choose to participate in the train the instructor program. Upon completion, they will receive a certificate of participation offering them continuing education credits, but they may not become an instructor.

(4) Minimum curriculum for the train the instructor program

- (a) A train the instructor program for registered nurses trained on or after the effective date of this rule, which prepares a registered nurse to teach MR/DD personnel to give oral or apply topical prescribed medication and administer food or prescribed medication via a stable labeled gastrostomy tube and a stable labeled jejunostomy tube for individuals of a residential facility with seventeen or more beds who are on a field trip, as specified in paragraphs (A)(9) and (B)(9) of rule 5123:2-6-03 of the Administrative Code, shall be at a minimum four hours and include at a minimum the following:
- (i) Review of section 4723.071 of the Revised Code and review of sections 5123.41 to 5123.47 of the Revised Code and rules adopted under this chapter and applicable Revised Code and Administrative Code relating to the functioning of a county board, nursing delegation and MR/DD personnel;
 - (ii) Review of all components required when teaching MR/DD personnel to give oral or apply topical prescribed medications and

- administer food or prescribed medication via a stable labeled gastrostomy tube and a stable labeled jejunostomy tube, including general principles of delegation by a licensed nurse to MR/DD personnel;
- (iii) Quality measures and quality assessment requirements pursuant to this chapter;
- (iv) MR/DD personnel and licensed nurse documentation requirements;
- (v) How to provide indirect supervision, including methods for remaining accessible, and training MR/DD personnel how and when to access help;
- (vi) How to evaluate the MR/DD personnel's skills including developing and using a skills check list for use in the program of instruction that teaches MR/DD personnel to give oral or apply topical prescribed medications and administer food or prescribed medication via a stable labeled gastrostomy tube and a stable labeled jejunostomy tube;
- (vii) Liability issues pursuant to rule 5123:2-6-07 of the Administrative Code;
- (viii) Instruction that nursing delegation instruction is for a specific individual; that nursing delegation instruction must occur for each individual the MR/DD personnel are being delegated to; and that nursing delegation for a specific individual does not confer certification in any other course;
- (ix) Instruction that MR/DD personnel being trained to administer prescribed medication and administer food or prescribed medication via a stable labeled gastrostomy tube and a stable labeled jejunostomy tube only to individuals residing in a residential facility with seventeen or more beds who are participating in a field trip, as specified in paragraphs (A)(9) and (B)(9) of rule 5123:2-6-03 of the Administrative Code, shall not receive or transcribe physician orders and prescriptions.
- (b) The registered nurse coordinator of the train the instructor program shall ensure that the train the instructor program for individuals of a residential facility with seventeen or more beds who are on a field trip, as specified in paragraphs (A)(9) and (B)(9) of rule 5123:2-6-03 of the Administrative Code, for a registered nurse shall be planned, developed and taught in accordance with requirements set forth in this rule.
- (c) The department must approve a train the instructor program course for

individuals of a residential facility with seventeen or more beds who are on a field trip, as specified in paragraphs (A)(9) and (B)(9) of rule 5123:2-6-03 of the Administrative Code not developed by the department prior to use in the train the instructor program.

(5) Successful completion of training

The following is required for successful completion of the train the instructor program provided to prepare the registered nurse to train MR/DD personnel to give oral or apply topical prescribed medications and administer food or prescribed medication via stabled labeled gastrostomy tube or stable labeled jejunostomy tube for individuals of a residential facility with seventeen or more beds who are on a field trip, as specified in paragraphs (A)(9) and (B)(9) of rule 5123:2-6-03 of the Administrative Code:

(a) Submission of the required application to the course instructor;

(b) Attendance at the entire program of required training;

(c) Participation in class discussions and activities; and

(d) Completion and submission of the evaluation of the train the instructor program.

(6) Maintaining qualifications to teach MR/DD personnel

To maintain qualifications to teach MR/DD personnel to give oral or apply topical prescribed medications and administer food or prescribed medication via stable labeled gastrostomy tube or stable labeled jejunostomy tube, the registered nurse shall complete, at a minimum, two contact hours of continuing education per licensure renewal period that relate to the information taught in the train the instructor program or that will enhance the role of the registered nurse who has completed the train the instructor program. Cardiopulmonary resuscitation (CPR), first aid or universal precautions training shall not make up any part of the four contact hours. These contact hours may be a part of the twenty-four hours required by the Ohio board of nursing during each licensure renewal period.

(B) MR/DD personnel qualifications and training requirements

(1) MR/DD personnel who are at least eighteen years of age are eligible to receive training in giving oral or applying topical prescribed medication and administering food or prescribed medication via stable labeled gastrostomy tube or stable labeled jejunostomy tube for individuals of a residential facility with seventeen or more beds who are on a field trip from the facility as specified in paragraphs (A)(9) and (B)(9) of rule 5123:2-6-03 of the Administrative Code.

(2) Prior to permitting MR/DD personnel to take a program of instruction set forth in this rule, the employer of MR/DD personnel shall do the following:

- (a) Determine whether the state nurse aide registry created under section 3721.32 of the Revised Code contains a statement included pursuant to division (B)(1) of that section regarding the MR/DD personnel's alleged abuse or neglect of a long-term care facility resident or misappropriation of resident property;
- (b) Verify that the MR/DD personnel's name does not appear on the abuser registry created under sections 5123.50 to 5123.54 of the Revised Code as having committed alleged abuse or neglect of an individual or misappropriation of an individual's property; and
- (c) Verify compliance with the applicable criminal background check requirements established under sections 5126.28 and 5126.281 of the Revised Code and rules 5123:2-1-05, 5123:2-1-05.1, and 5123:2-3-06 of the Administrative Code.

(3) MR/DD personnel training program

A training program provided pursuant to this paragraph on or after the effective date of this rule, to train MR/DD personnel to give oral or apply topical prescribed medication and administer food or prescribed medication via stable labeled gastrostomy tube or stable labeled jejunostomy tube for individuals of a residential facility with seventeen or more beds who are on a field trip from the facility as specified in paragraphs (A)(9) and (B)(9) of rule 5123:2-6-03 of the Administrative Code shall be taught by a licensed registered nurse instructor qualified pursuant to this rule. The length of the training course shall be determined by the licensed registered nurse instructor qualified pursuant to this rule. The content of this training shall include all of the following:

- (a) Instruction that the authority to give prescribed oral medication or apply prescribed topical medication and administer prescribed medications or food via stable labeled gastrostomy tube or stable labeled jejunostomy tube is only granted by licensed nurse delegation, and this authority must be delegated by a licensed nurse to a specific MR/DD personnel who is trained pursuant to paragraph (B) of this rule or who has obtained the certificate or certificates required and issued by the department pursuant to rule 5123:2-6-06 of the Administrative Code.
- (b) Instruction that the MR/DD personnel must be provided individual specific training and that the delegating licensed nurse shall be responsible for the individual specific training. The individual specific training shall occur prior to administration of prescribed oral or topical

medication or administration of food or prescribed medication via stable labeled gastrostomy tube or stable labeled jejunostomy tube.

- (c) Instruction that 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.
- (d) Infection control and universal precautions. The registered nurse course instructor may waive the infection control and universal precautions instruction material and instruction time of the program of instruction if the MR/DD personnel can document training on that topic within the previous year.
- (e) A review of applicable federal and state drug laws and rules.
- (f) For MR/DD personnel who will be delegated by the licensed nurse the authority to give prescribed oral medication or apply prescribed topical medication, the training shall, in addition to paragraphs (B)(3)(a) to (B)(3)(e) of this rule, include the following:
 - (i) Information and instruction on the concepts underlying each step for giving oral or applying topical prescribed medications and how to correctly give oral or apply topical prescribed medications according to current standards of safe practice, including correct and safe practices, procedures, and techniques for administering prescribed oral or topical prescribed medication to train the MR/DD personnel to administer the right medication, at the right dose, to the right individual, by the right route, at the right time.
 - (ii) Written instructions that should be provided for giving prescribed oral medications or applying topical prescribed medications to a particular individual.
 - (iii) Instruction in quality measures, including but not limited to, procedures for reporting and documenting all prescribed medication errors that may occur when giving prescribed oral medications or applying topical prescribed medications, procedures in case of emergency, and procedures on when and how to contact the trained MR/DD personnel's employer or designee or the supervising licensed nurse when performing a delegable nursing task.

- (iv) Information about what MR/DD personnel may be authorized to perform with respect to giving oral or applying topical prescribed medications.
- (v) Instruction that as needed prescribed medication or PRN prescribed medication must have specific parameters for administration which preclude independent judgment.
- (vi) Information about what MR/DD personnel are prohibited from giving, which includes but is not limited to the following:
 - (a) An intramuscular injection;
 - (b) An intravenous injection;
 - (c) A subcutaneous injection;
 - (d) Any debriding agent used in the treatment of a skin condition or minor abrasion.
- (vii) When applicable, instruction in the use of commercially packaged epinephrine auto-injector for treatment of anaphylactic allergic reaction as prescribed by a licensed health professional authorized to prescribe drugs.
- (viii) When applicable, instruction in the use of commercially packaged rectal diazepam gel for the treatment of epilepsy as prescribed by a licensed health professional authorized to prescribe drugs.
- (ix) When applicable, instruction in the use of commercially packaged glucagon for the treatment of hypoglycemia as prescribed by a licensed health professional authorized to prescribe drugs. Teaching must be completed and nursing delegation must be in place prior to administration of glucagon.
- (x) Instruction in potential drug reactions, including known side effects, interactions, and the proper course of action if a side effect occurs.
- (xi) The requirements for documentation of prescribed medications administered, applied, missed, held or refused to, by or for each individual.
- (xii) The requirements for documentation and notification of prescribed medication errors.

- (xiii) Information regarding the proper storage and care of prescribed medications.
 - (xiv) Information and instruction that MR/DD personnel may not receive or transcribe physician orders and prescriptions onto a prescribed medication administration record and a treatment administration record.
 - (xv) Performance of a successful return demonstration for each route of prescribed medication administration MR/DD personnel are being trained in.
 - (xvi) Successful completion of training in administration of prescribed oral medication and prescribed topical medication and the requirements of this paragraph shall be determined by the licensed registered nurse instructor qualified pursuant to this rule.
- (g) For MR/DD personnel who will be delegated by the licensed nurse the authority to administer prescribed medication or food via stable labeled gastrostomy tube or stable labeled jejunostomy tube, the training shall, in addition to paragraphs (B)(3)(a) to (B)(3)(e) of this rule, include the following:
- (i) Instruction in quality measures, including but not limited to, procedures for reporting and documenting errors that may occur when administering prescribed medication or food via stable labeled gastrostomy tube or stable labeled jejunostomy tube, procedures in case of emergency, and procedures on when and how to contact the trained MR/DD personnel's employer or designee or the supervising licensed nurse.
 - (ii) Written instructions that should be provided for administering prescribed medication or food via stable labeled gastrostomy tube or stable labeled jejunostomy tube to a particular individual.
 - (iii) Correct and safe practices, procedures and techniques for administering food or prescribed medication via a stable labeled gastrostomy tube or a stable labeled jejunostomy tube including possible signs and symptoms of gastrostomy tube or jejunostomy tube malfunction or tube problems, complication or intolerance of food or prescribed medication by the individual, and appropriate response to gastrostomy tube or jejunostomy tube that becomes dislodged.
 - (iv) The requirements for documentation of food and prescribed medications administered, missed, held or refused to, by or for

each individual via gastrostomy tube or jejunostomy tube.

- (v) Requirements for documentation and notification of prescribed medication errors or feeding errors via gastrostomy tube or jejunostomy tube.
- (vi) Information regarding the proper storage, care, and preparation of food and prescribed medications to be given via stable labeled gastrostomy tube or stable labeled jejunostomy tube.
- (vii) Information regarding the proper storage and care of tube feeding equipment.
- (viii) Instruction in drug reactions and interactions, including common side effects and the proper course of action to be taken if a side effect occurs, and instruction that the delegating licensed nurse will provide specific potential drug reactions and interactions and potential side effects.
- (ix) Information about what MR/DD personnel are prohibited from giving, which includes but is not limited to the following: any prescribed medication administered through a nasogastric tube or any unstable or unlabeled gastrostomy tube or unstable or unlabeled jejunostomy tube.
- (x) Instruction that as needed prescribed medication or PRN prescribed medication must have specific parameters for administration which preclude independent judgment.
- (xi) Instruction that only the delegating licensed nurse shall receive prescriptions for food or prescribed medication to be administered by stable labeled gastrostomy tube or stable labeled jejunostomy tube and only the delegating nurse shall transcribe these prescriptions into an individual's prescribed medication administration record or treatment record.
- (xii) Performance of successful return demonstration for administering prescribed medication and food via a stable labeled gastrostomy tube or stable labeled jejunostomy tube.
- (xiii) Successful completion of training in administering prescribed medication and food via stable labeled gastrostomy tube and stable labeled jejunostomy tube and the requirements of this paragraph shall be determined by the licensed registered nurse instructor qualified pursuant to this rule.

(4) MR/DD personnel may forego any instruction material and corresponding

instruction time of the training outlined in paragraph (B)(3) of this rule by providing the qualified registered nurse instructor with documentation of having received training provided by a registered nurse as part of nursing delegation prior to the effective date of this rule. Documentation must be by the qualified registered nurse instructor who taught the delegation. Such MR/DD personnel must still complete those portions of the training program required in paragraph (B)(3) of this rule that they have not been trained on. The delegating licensed nurse shall determine if the MR/DD personnel continues to have the skills to perform the nursing task(s), activity(ies), or prescribed medication administration.

(C) The standards established by the Ohio board of nursing under Chapter 4723-13 of the Administrative Code shall apply when an unlicensed person is performing delegable nursing tasks, including the performance of health-related activities.

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