

4723-27-03 Delegation of Medication Administration to Certified Medication Aides

- (A) A registered nurse or a licensed practical nurse acting at the direction of a registered nurse, who provides nursing care to residents in nursing homes or residential care facilities, may delegate the task of medication administration to a certified medication aide in accordance with section 4723.67 of the Revised Code, Chapter 4723-13 of the Administrative Code, and this chapter.
- (B) A registered nurse may delegate the administration of medications to a certified medication aide only if the registered nurse holds a current, valid license issued under Chapter 4723. of the Revised Code that is not subject to restrictions imposed under section 4723.28 of the Revised Code, or imposed by agreement entered pursuant to sections 4723.282 or 4723.35 of the Revised Code, relating to the authority of the registered nurse to administer medications.
- (C) A licensed practical nurse, acting at the direction of a registered nurse, may delegate the administration of medications to a certified medication aide only if all of the following apply:
 - (1) The registered nurse at whose direction the licensed practical nurse is delegating the administration of medications is authorized to delegate the administration of medications to a certified medication aide in accordance with paragraph (B) of this rule;
 - (2) The licensed practical nurse is authorized to administer medications in accordance with division (F)(3) of section 4723.01 of the Revised Code; and
 - (3) The licensed practical nurse holds a current, valid license issued under Chapter 4723. of the Revised Code that is not subject to restrictions relating to the administration of medications imposed under section 4723.28 of the Revised Code, or imposed by agreement entered pursuant to 4723.282 or 4723.35 of the Revised Code.
- (D) A nurse who delegates to a certified medication aide responsibility for the administration of prescription medications to residents in nursing homes or residential care facilities shall not withdraw the delegation on an arbitrary basis or for any purpose not related to resident safety.
- (E) Prior to delegating the task of medication administration to a certified medication aide, a nurse shall evaluate the following:
 - (1) The resident and the medication needs of the resident, including:

- (a) The resident's mental and physical stability;
- (b) The medication to be administered;
- (c) The timeframe during which the medication is to be administered;
- (d) The route or method by which the medication is to be administered; and

(2) The ability of the certified medication aide to safely administer the medication being delegated.

(F) When delegating the task of medication administration to a certified medication aide, the nurse shall communicate the following:

- (1) The residents to whom the certified medication aide shall administer medications;
- (2) The medications the certified medication aide shall administer;
- (3) The timeframes during which the medications are to be administered; and
- (4) Any special instructions concerning the administration of medications to specific residents.

(G) A nurse who is on site may delegate the administration of as-needed medications to a certified medication aide provided all of the following are satisfied:

- (1) A registered nurse has completed a nursing assessment of the resident to whom the as-needed medication is to be administered;
- (2) A nursing regimen based on the nursing assessment is established that contains interventions including the administration of the as-needed medication in accordance with the medication order;
- (3) The nurse determines the resident's need for the medication based on information collected from sources that include but are not limited to:
 - (a) Direct observation of the resident;
 - (b) The nursing regimen established for the resident;

(c) The resident's record; and

(4) The nurse determines the as-needed medication may be safely administered by the certified medication aide.

(H) If a nurse is not on site, the nurse may delegate the administration of as-needed medications to a certified medication aide only if all of the following are satisfied:

(1) A registered nurse has completed a nursing assessment of the resident to whom the as-needed medication is to be administered;

(2) A nursing regimen based on the nursing assessment is established that contains interventions including the administration of the as-needed medication in accordance with the medication order;

(3) A nurse is immediately available by telecommunication and determines the resident's need for the medication based on but not limited to the following:

(a) Current knowledge of the resident's health status and the resident's nursing regimen;

(b) The resident's record; and

(c) Data conveyed by the certified medication aide who is directly engaged in the administration of medications to the resident.

(4) The as-needed medication is available for over the counter purchase;

(5) The nurse determines the as-needed medication may be safely administered by the certified medication aide.

(I) In a nursing home or residential care facility that utilizes certified medication aides, a nurse remains responsible for all of the following:

(1) Reviewing the medication delivery process to assure there have been no errors in stocking or preparing the medications;

(2) Accepting, transcribing, and reviewing resident medication orders;

(3) Monitoring residents to whom medications are administered for side effects or changes in health status; and

(4) Reviewing documentation completed by a certified medication aide, including the medication administration record.

- (J) A nurse shall supervise the certified medication aides in accordance with the following:
- (1) In a nursing home, a nurse shall provide on-site supervision of a certified medication aide;
 - (2) In a residential care facility, supervision of a certified medication aide shall be provided by a nurse who is either on-site or is immediately and continuously available through some form of telecommunication.
- (K) A nurse may not delegate the administration of prescription medications in the following categories, by the following routes, or under the following circumstances, to a certified medication aide:
- 1) Medications containing a schedule II controlled substance, as defined in section 3719.01 of the Revised Code;
 - 2) Medications, including inhalants delivered by inhalers, nebulizers, or aerosols, requiring dosage calculations;
 - 3) Medications that are not approved drugs;
 - 4) Medications being administered as part of clinical research;
 - 5) Administration of medications via injection;
 - 6) Administration of medications via intravenous therapy procedures;
 - 7) Administration of medications via splitting pills for purposes of changing the dose being given;
 - 8) Administration of medications through jejunostomy, gastrostomy, nasogastric , or oral gastric tubes;
 - 9) Administration of medications to pediatric residents;
 - 10) Administration of the initial dose of any medication.
 - 11) Administration of oxygen.
- (L) A registered nurse or a licensed practical nurse acting at the direction of a registered nurse, who delegates the administration of medications to a certified medication aide in accordance with section 4723.67 of the Revised Code and this chapter, shall not be liable in damages to any person or government entity in a civil action for injury, death, or loss to

person or property that allegedly arises from an action or omission of the certified medication aide in the administration of the medications.