

WHAT YOU NEED TO KNOW:

1. In July 2016 H.B. 483 authorized significant changes to DODD's medication administration process.
2. Law revisions to medication administration rules Ohio Administrative Code 5123:2-6 will go into effect **November 6, 2017:**
 - a. The specifications for Residential settings of 17 or more no longer exist in law or rule. All residential settings of 6 or more have the same permissions and requirements for unlicensed personnel to administer medications.
 - b. **Category 1 certification changes**
 1. **5 new Health Related Activities** that certified Direct Service Personnel (DSP) can do without delegation (*in settings where delegation is not required for Cat 1 activities*)
 - 1) Pulse Oximetry (for O2 saturation reading)
 - 2) Bi/CPAP
 - 3) Application of Prescription Compression Hose
 - 4) Application of a Percussion Vest
 - 5) Use of Cough Assist Insufflator
 2. Authorizes **Oxygen administration without delegation** (*in settings that do not require delegation of Cat 1 activities*)
 3. Authorizes use of OTC topical products **for musculoskeletal comfort** without a prescription (for personnel with Cat 1 certification)
 4. Removes epinephrine auto-injector from Category 1 certification and training (Epi-pen training is a stand-alone training outside of Cat 1 certification)
 - c. **Category 2 certification and authorizations: no changes**
 - d. **Category 3 certifications**
 1. Authorizes delegation of inhaled insulin
 2. Authorizes delegation of injectable treatments for metabolic glycemic disorders
 3. Authorizes delegation of insulin and metabolic glycemic treatments **in all settings**
 - e. **Creates a new service setting category of Adult Day Services of 16 or fewer** where **Category 1** certification can be used without nurse delegation

- f. **Creates 3 STAND-ALONE AUTHORIZATIONS and trainings that ARE NOT PART OF CATEGORY 1 OR ANY CERTIFICATION PROGRAM** – with annual training, uncertified DSP will be able to:
1. Use a **VNS magnet to activate a VNS** (free on-line training is available now on DODD Training page)
 2. Administer **epinephrine auto-injector** (may be trained with DODD curriculum or part of First Aid certification)
 3. Use **OTC TOPICAL** products for **cleansing, comfort and protection of intact skin, hair, nails, teeth and oral surfaces without a prescription**
 - 1) This does NOT include topical treatments of conditions that require a diagnosis – such as fungal infections, or topical musculoskeletal comfort drugs
 - 2) Authorizes **only TOPICAL products for cleansing, comfort and protection** of intact skin, hair, nails, teeth, and oral surfaces
 - 3) If individual's do have prescriptions for these medications and staff have medication administration certification the staff do not need the stand-alone training to administer the prescribed medicated products
 - 4) **DODD published curriculums can be taught by nurses or personnel with Category 1 Medication Administration Certification**
3. Change to the QA RN review process from “per person” receiving medication in Waiver settings of 5 or fewer to “per provider location” in Waiver services where nurse delegation is not required
- a. Residential settings of 5 or fewer
 - b. Adult Day Services setting of 16 or fewer
4. **THE ROLL-OUT** of changes:
- a. New curriculum addendums are published on the DODD Medication Administration page (DODD Home > click Health and Welfare > Choose Medication Administration)
 - b. Rules finalized through the JCARR process will go into effect Nov. 6, 2017
 - c. New skills check lists for the Cat 1 and Cat 3 additions are in MAIS
 - d. New information **MAY** be taught as part of **Initial Certifications** now and **MUST be taught in all classes from January 1, 2018 forward**

- e. New information for Cat 1 and Cat 3 MAY be taught now
 - 1. **May** be entered in MAIS as part of renewal now
 - 2. **MUST be attested to by RN Trainer for the first renewal of each certified personnel between January 1, 2018 and Dec. 31, 2018.** As part of the first renewal in 2018 the RN Trainer must attest that the additional material and skills have been received by the person being renewed.
- f. Currently certified personnel will need to have newly authorized skills checked prior to using those skills (even if not part of a renewal). If personnel are currently being delegated, the delegating nurse will be able to check off skills prior to ending delegation.
- g. The new RN QA Tool is in development and will be posted on DODD ASAP; Special training for QA RNs is scheduled for Nov. 8, 2017.
- h. **The 3-year period for completing all RN QAs will start over on January 1, 2018. Previous date tracking of individual's QAs will no longer apply.**
- i. The new stand-alone curriculums for VNS, EPI and OTC topical drugs for cleansing, comfort and protection can be used beginning Nov. 6, 2017; Training is required before action
- j. If staff have already had VNS or EPI training there is no need to repeat except for annually
- k. If epinephrine auto-injector training is a documented part of First Aid certification, epinephrine auto-injector authorization is valid for the length of the certification.
- l. If personnel have Medication Administration Certification and are administering topical OTCs that have been prescribed they do not need to do the new OTC training for the prescribed OTCs.
- m. The training and authorization, without certification, for purchase and administration of OTC topical products (for cleansing, comfort and barriers) should be implemented as soon as feasible. This is important so that individual's may choose their own preferred products from the store without a prescription.

WHAT RN Trainers NEED TO DO:

1. **Make sure your e-mail settings allow messages from [DODDInfo DoNotReply@dodd.ohio.gov](mailto:DODDInfo_DoNotReply@dodd.ohio.gov)**
 - a. **MAIS sends messages to the e-mail (home and work) address listed in MAIS.**
 - b. **If you do not specifically put this address in your e-mail as “not junk” it may well be filtered out by your security settings.**
 - c. **As an RN Trainer, it is part of your responsibilities to make sure you are up to date on RN Trainer rules and duties.**
2. **Make sure you READ the messages posted on the MAIS Home Page EVERYTIME you log in.**
3. **Make sure you READ the new Rules (OAC 5123:2-6) as soon as they are released. Destroy all previous versions.**
4. **Get the new curriculum addendums from the DODD Medication Administration Page and prepare to incorporate the material into your teaching.**
 - a. Find at DODD Home Page > Health and Welfare > Medication Administration Information page.
 - b. They will exist as individual addendums until the entire content of curriculums is revised later in 2018.
5. **RN Trainers have UNTIL OCTOBER 31, 2017 to request the new test – if you do not you will be unmapped from MAIS until you do.**
6. **Prepare to enter a revised Syllabus for Initial Category 1 Certifications and Category 3 Add-on classes NO LATER than January 1, 2018. Begin teaching additional curriculums with all Initials and Add-on certifications NO Later than January 1, 2018.**
7. **Be very clear that ALL Cat 1 renewals January 1 - December 31, 2018 will require training and skills check-off on Oxygen, 5 new HRAs and OTC topical drugs for musculoskeletal comfort.**
 - a. RN Trainers must attest to CE and new skills and in MAIS for renewal application to be processed.
 - b. After the new skills and CE are covered at one renewal they do not need to be covered unless applicable.
 - c. RN Trainers may utilize knowledgeable guest speakers for renewal CE and skills presentations.
8. **Make sure your agency, contract agencies, and students understand that for renewal in 2018 content and skills must include the new curriculum elements. Help them make plans for that to happen. Make sure if you are using guest speakers they know the new material.**
9. **Be clear that the 3 stand-alone curriculums for VNS, EPI and OTC topical drugs for cleansing, comfort and protection may NOT be part of 14 hour initial (can be included if additional time is allotted), and not used for renewal CE.**

WHAT PROVIDERS/AGENCIES NEED TO DO:

1. **Talk to your RN Trainer(s)** – plan for how staff will get from old rules to new rules for:
 - a. New HRAs and other newly authorized actions – ones currently delegated and ones not needed straight away
 - b. How will you train for OTCs, VNS and EPI
 - c. How will you track training for OTC, VNS and EPI
 - d. Plan to train staff that the rules are changing

2. **Be very clear that ALL renewals that happen January 1 - December 31, 2018 will require training and skills check-off on Oxygen, 5 new HRAs and OTC topical drugs for musculoskeletal comfort.**
 - a. RN Trainers must attest to CE and new skills and in MAIS for renewal application to be processed.
 - b. After the new skills and CE are covered at one renewal they do not need to be covered unless applicable.

3. **Make sure you READ the new Rules (OAC 5123:2-6).**

4. **Get the new curriculum additions from the DODD Medication Administration Page and prepare to incorporate the material into your manuals and procedures.**
 - a. Find at DODD Home Page > Health and Welfare > Medication Administration Information page.
 - b. They will be individual addendums until the entire content of curriculums is revised in 2018.
 - c. Have skills checks and training material on hand for people who need to start using the new skills.

5. **Make sure your agency management and personnel understand that for renewal in 2018 content and skills must include the new elements. Help them make plans for that to happen. Make sure if you are using guest speakers the RN trainer has approved that and that the speakers know the new material.**

6. **Be clear that the 3 stand-alone curriculums for VNS, EPI and OTC topical drugs for cleansing, comfort and protection may NOT be part of 14-hour initial (can be included if additional time is allotted)**

Authority of DD Personnel to Perform Services by Type - Medication Administration
Reference Grid (ORC 5123.41-.47 and OAC 5123:2-6-3)

 Applicable Setting	County Board (CB) responsibility for Quality Assessment (QA) by RN. See outlined boxes				
	Certification 1 13-HRAs (Health-Related Activities) <small>(HRAs may be delegable without certification per OAC 4723-13)</small>	Certification 1 Medication Administration (Prescribed Oral, Topical, O2 and Inhalers)	Certification 2 G / J Tube Prescribed Medication Administration	Certification 3 Insulin by Sub-Q Injection & Pump <small>and injectable treatments for metabolic/glycemic disorders</small>	Delegable Nursing Tasks Including 13 HRAs & Administration of Nutrition by G/J Tube
Adult Services Settings up to 16 people	Without nursing delegation	Without nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Family Support Services	Without nursing delegation	Without nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Certified Supported Living Services (1-4 individuals per living arrangements)	Without nursing delegation	Without nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Certified Home and Community Based Services (1-4 individuals per living arrangements)	Without nursing delegation	Without nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Residential Facilities : 1-5 Beds	Without nursing delegation	Without nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Early Intervention, Pre-School, School Age	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Adult Services Settings with 17 or more people	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Residential Facilities : 6 or more Beds	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Other Services by DD Boards or by Ohio Dept of DD	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation

*As per OBN's Administrative Code Chapter 4723-13, an RN may delegate specific NURSING TASKS to uncertified personnel (following all provisions in OAC 4723-13) . Delegation of MEDICATION requires DODD Certification(s).

Ohio | Department of Developmental Disabilities

To: OACB, OPRA, Superintendents, RN Trainer list-serv
From: Janet Winterstein, RN *jen*
Date: 10/11/11
Re: **Medication Administration by family members and Medication Administration Certification Requirements**

The department has recently received multiple inquiries about the administration of medications by family members under DODD Waiver services. Here are clarifications to address a number of possible circumstances and how the DODD believes the rules apply.

Family members administering medication:

- Whenever an individual **lives with** a family member(s), the family member is authorized to administer medications without having to have Medication Administration Certification.
- Family members who live with an individual and are providing Adult Family Living Support under the IO Waiver, either as independent providers or agency staff, are authorized to administer medication as a family member and do not need to have Medication Administration Certification.
- When a family member DOES NOT LIVE with the individual, is a paid provider, and works for an agency, that family member MUST have Medication Administration certification.

Family delegation under Ohio Revised Code 5123.47:

- Family members living with an individual are able to delegate medication administration to independent providers who come into the home under the Family Delegation Law (Ohio Revised Code 5123.47). In that case the responsibility for the training and supervision of the independent provider rests with the family and the independent provider does not have to have Medication Administration Certification.

- However, family members DO NOT have authority under the Family Delegation Law to delegate medication administration responsibilities to AGENCY STAFF WHO DO NOT LIVE WITH THE INDIVIDUAL, whether that staff person is related to the individual or not. All agency staff not residing with the individual and providing medication administration MUST have Medication Administration Certification, and possibly nursing delegation, if applicable.
- When an individual does not live with family (or the family is not delegating) all independent providers (paid staff), including family members, are required to have Medication Administration Certification (and possibly nursing delegation if applicable to the medication/treatment).

Please Note: The ORC 5123.47 (DODD Family Delegation Law) definition of “Family member” means a parent, sibling, spouse, son, daughter, grandparent, aunt, uncle, cousin, or guardian of the individual with mental retardation or a developmental disability if the individual with mental retardation or developmental disabilities lives with the person and is dependent on the person to the extent that, if the supports were withdrawn, another living arrangement would have to be found.

Adult Family Living defines “related to” the individual receiving adult family living by blood, marriage, or adoption, but does not include the individual's spouse. This definition includes a caregiver who is the individual's parent or stepparent, Sibling or stepsibling, grandparent aunt, uncle, nephew, or niece cousin, child or stepchild.