DISTRICT OF COLUMBIA MUNICIPAL REGULATIONS for TRAINED MEDICATION EMPLOYEES

CHAPTER 61

Secs.

6100 GENERAL PROVISIONS

6100.1 This chapter shall apply to applicants for and holders of a certificate as a trained medication employee, employed to work in a program, who administer medications to persons with mental retardation or other disabilities, and sets forth requirements for:

(a) The administration of medication to persons with mental retardation or other developmental disabilities;

(b) The certification of trained medication employees;

(c) The certification of medication administration trainers and master trainers; and

(d) The employment and supervision of trained medication employees.

6101 OBTAINING AND FILING WRITTEN INSTRUCTIONS

6101.1 The supervisory registered nurse for each program shall obtain and maintain on file, at the program's facility, and at the facility where the program participant most often receives medications, instructions written by the licensed practitioner responsible for prescribing medication for the program participant. A program shall ensure that a copy of a participant's medication instructions is provided to the participant's residential facility. The instructions shall state the following:

(a) The name of the program participant who is to receive the medication;

(b) The name and strength of the medication;

(c) The name and telephone number of the licensed practitioner prescribing the medication;

(d) The time of administration, dosage, method of administration, and duration of medication;

(e) Compatibility with other prescribed and non-prescription medications;

(f) Known program participant allergies;

(g) Medication usage warnings;

(h) Side effects; and

(i) Other potential adverse reactions.

6101.2 The written instructions shall be made available upon request to any official of the District of Columbia government or United States government who makes the request in the performance of his or her official duties.

6101.3 The information contained in the written instructions shall at all times be the current instructions of the licensed practitioner.

6102 PERIODIC REVIEW OF WRITTEN INSTRUCTIONS

6102.1 All written instructions and compliance with the written instructions for each program participant shall be reviewed and the review acknowledged in writing by the supervisory registered nurse at least once every thirty (30) days. The review shall consist of, at a minimum, a review of the medication administration record.

6103 PARTICIPANT NOTIFICATION

6103.1 A program that provides services to a program participant shall provide written notification to the program participant, or the parent or guardian of the program participant, regarding the administration of medications to the program participant by other than a licensed practitioner or licensed nurse prior to allowing a trained medication employee to administer medication.

6103.2 A program shall maintain, at its principal place of business, and at the facility where the program participant most often receives medications, a copy of the written notification. A program shall also ensure that a program participant's residential facility is provided a copy of all medication orders. A copy of the notification shall be maintained at all

times a person is a program participant and for six (6) years after a person leaves the program.

6104 STORAGE OF MEDICATION

6104.1 Medications shall be stored in the original containers as dispensed by the pharmacy, and all pharmacy labels shall be intact and legible and shall not be altered.

6104.2 The medications shall be stored according to the package insert in either a cabinet or a medication refrigerator at a temperature between thirty-six (36) and forty-six (46) degrees Fahrenheit that offers sufficient store space and lighting. The cabinet or refrigerator shall be locked when not in use.

6104.3 Keys to each medication storage area shall be the responsibility of the trained medication employee, and shall be kept in a central safe location.

6104.4 The key to a medication storage area shall be available only to those individuals authorized to administer medications.

6104.5 Non-oral medications such as lotions and ointments shall be stored separately from those medications taken orally.

6104.6 Each medication considered part of a First Aid Kit shall be stored with the First Aid Kit and not locked with the medications.

6105 RECORD KEEPING

6105.1 The licensed nurse or trained medication employee shall document in the Medication Administration Record ("MAR") medications that have been administered to the program participant and whether the medications ordered have been taken as ordered.

6105.2 A program participant's MAR shall be on file at all facilities where the program participant receives medication.

6105.3 The MAR shall include the following regarding the program participant:

(a) The name of the program participant;

(b) The date of birth of the program participant;

(c) The name of the program;

(d) The month, day, and year the medication is prescribed for administration to the program participant;

(e) The primary and secondary diagnosis of the program participant;

(f) Any known allergies of the program participant, or that the program participant has no known allergies;

(g) The diet order for the program participant;

(h) The name and phone number of the licensed practitioner under whose care the program participant has been placed; and

(i) The name of the supervisory registered nurse responsible for both the review and preparation of the MAR, and the supervision, monitoring and delegation of nursing functions with respect to the program participant.

6105.4 The following information shall be recorded in the MAR for all medications ordered for the program participant:

(a) The name, strength, and frequency of the medication;

(b) The prescribed dosage of medication;

(c) The route of medication administration;

(d) The date the medication is prescribed by the licensed practitioner;

(e) The date and time the medication is to begin;

(f) The date the medication is to be continued if specified by the licensed practitioner;

(g) Indications for the medication; and

(h) Any known allergies.

6105.5 All information shall be recorded on the MAR in permanent blue or black ink. All errors shall be appropriately corrected and there shall be no erasures or whiteouts.

6105.6 All medication information shall be entered on the MAR before storing the medication, and all information on the MAR shall be consistent with the information on the pharmacy label and the order sheet of the licensed practitioner.

6105.7 Immediately after administration of a medication, the trained medication employee shall initial the correct block on the MAR indicating the date and time that the medication was administered.

6105.8 All medication errors and omissions, and any related actions that have been taken, shall be recorded on the MAR by the trained medication employee and reported to the licensed nurse.

6105.9 Each trained medication employee shall enter his or her full name and initials on the back of the MAR the first time each month that medication is administered.

6105.10 The MAR shall be reviewed and signed by a registered nurse at least once each month.

6105.11 When a new medication is ordered for a program participant the licensed nurse shall be notified before the administration of the medication and a photocopy of the prescription shall be placed in the MAR.

6106 CERTIFICATION OF TRAINED MEDICATION EMPLOYEES

6106.1 Upon successful completion of a Trained Medication Employee Course approved by the Board, a trained medication employee applicant shall submit:

(a) Documentation signed by the Medication Administration Trainer verifying satisfactory completion of the Trained Medication Employee Course;

(b) Proof of a least one (1) year of clinical experience in a program or a health care facility;

(c) Proof of satisfactory current completion of cardio-pulmonary (CPR) training and a First Aid program; and

(d) A completed application and required fee.

6106.2 An applicant may request a waiver from participation in the Medication Administration Course if the applicant has successfully completed a substantially equivalent course in another jurisdiction. Program employees that have successfully completed a Medication Administration Course approved by the State of Maryland or the Commonwealth of Virginia need not participate in the Medication Administration Course.

6106.3 An applicant requesting a waiver from participation in the Medication Administration Course shall submit to the Board:

(a) Proof of current certification in the administration of medication in Maryland or Virginia or any other jurisdiction approved by the Board;

(b) Proof of at least one (1) year of clinical experience in a program or a health care facility;

(c) Proof of satisfactory current completion of a cardio-pulmonary (CPR) training and First Aid program; and

(d) A completed application and required fee.

6106.4 The Board shall issue to qualified applicants a certification as a trained medication employee authorized to administer medication to program participants in a program licensed, certified or approved by the District of Columbia government as defined in D.C. Official Code § 21-1201(10).

6106.5 The Board shall maintain a registry of certified trained medication employees.

6106.6 If, after certification, the supervisory registered nurse or licensed practitioner observes serious or multiple deficiencies or errors, he or she shall report the deficiencies to the Board in writing.

6106.7 If a licensed nurse or licensed practitioner observe serious or multiple deficiencies or errors that have jeopardized the health or welfare of any program participant which include, but are not limited to, errors involving medication administration, dosage documentation and storage of medications, the licensed nurse or licensed practitioner shall report the deficiencies to the Board and the employing program shall prohibit the trained medication employee from administering medication until the Board has taken action on the notice of deficiency.

6106.8 [REPEALED]

6106.9 [REPEALED]

6106.10 [REPEALED]

6106.11 If, after certification, the supervisory registered nurse or licensed practitioner observes serious or multiple deficiencies or errors that have not jeopardized the health or welfare of any program participant, he or she shall report the deficiencies to the Board in writing within twenty-four (24) hours.

6106.12 Upon receipt of written notification alleging medication errors or deficiencies by the trained medication employee, the Board shall notify the employee of the receipt of the allegations and shall request that the employee respond in writing to the allegations within three (3) business days.

6106.13 Upon receipt and consideration of the allegations, any response from the trained medication employee, and other evidence the Board deems appropriate, the Board shall determine whether the employee was deficient. If the employee is found to have been deficient, the employee shall be required to repeat and successfully complete the Medication Administration Course.

6106.14 to
6106.19 [REPEALED]

6107 RECERTIFICATION

6107.1 Recertification of a trained medication employee shall be required every two (2) years, and shall include verification of a Board-approved twelve (12) hours of in service training in pharmacology or medication administration and the supervisory registered nurse's verification of the trained medication employee's continued adequacy of performance.

6107.2 Recertification applications shall be submitted to the Board before the expiration of the current certification and shall:

(a) Be signed by the trained medication employee;

(b) Include the supervisory registered nurse's written verification of the trained medication employee's continued adequacy of performance;

(c) Include documentation verifying successful completion of twelve (12) hours of board approved in-service training; and

(d) Be accompanied by the required registration fee.

6107.3 The Board shall recertify an applicant upon receiving a complete recertification application, proof of the applicant's continued competence, and the appropriate registration fee.

6108 GENERAL SUPERVISION BY REGISTERED NURSES OF TRAINED MEDICATION EMPLOYEES

6108.1 Before administering medication to a program participant, all trained medication employees shall:

(a) Observe a supervisory registered nurse administering medication to a program participant on at least two (2) occasions;

(b) Be observed by a supervisory registered nurse on at least four (4) separate occasions while engaged in the process of administration, documentation, and monitoring side effects at one hundred percent (100%) proficiency;

(c) Demonstrate his or her proficiency and knowledge of all medication procedures for the storage of medications, and all program policies pertaining to the administration of medication; and

(d) Demonstrate knowledge of medications to be administered by reviewing the following with the supervisory nurse:

(1) Compatibility with other prescribed and non-prescribed medications;

(2) Known patient allergies;

(3) Usage warnings;

(4) Side effects;

(5) Indications for usage; and

(6) Other potential adverse reactions.

6108.2 A registered nurse shall review the completed MAR monthly for proper and accurate documentation, including vital signs.

6108.3 A registered nurse shall observe, review and evaluate in writing the ability of the trained medication employee to properly administer, document and store medication for a program participant every three (3) months for the first year of certification and every six (6) months thereafter.

6108.4 The supervisory registered nurse shall be available to the trained medication employee for general or direct supervision.

6108.5 [REPEALED]

6108.6 The supervisory registered nurse shall, on a monthly basis, review the licensed practitioner's orders, MAR, and medication intervals for all program participants.

6108.7 The supervisory registered nurse shall review with the trained medication employee any errors in documentation that are noted. Serious or multiple errors or omissions shall be reported to the Board of Nursing.

6108.8 Only a licensed nurse shall accept a telephone medication order from a licensed practitioner for a new prescription or change in dosage or frequency.

6108.9 The licensed nurse receiving the verbal order pursuant to § 6108.7 or receiving an order directly from a licensed practitioner, shall order medication from the pharmacy and enter that specific medication, as ordered, on the program participant's medication administration record.

6108.10 If the trained medication employee observes a change in the program participant's condition after administration of medication, the trained medication employee shall notify the registered nurse immediately.

6108.11 [REPEALED]

6108.12 [REPEALED]

6109 TRAINING PROGRAMS AND TRAINER

6109.1 A Medication Administration Course to train program employees as trained medication employees shall consist of a program that is:

Approved by the Board for the instruction of applicants seeking certification as a trained medication employee; or

(a) Approved by the Board for instruction of applicants seeking certification as a trained medication employee; or

(b) Taught by a Medication Administration Trainer approved by the Board.

6109.2 A Medication Administration Course for Medication Administration Trainers shall be:

(a) Approved by the Board for the instruction of applicants seeking certification as Medication Administration Trainers; or

(b) Taught by a Master Medication Administration Trainer approved by the Board.

6109.3 A person seeking approval from the Board of Nursing as a Medication Administration Trainer shall:

(a) Be licensed in the District of Columbia as a registered nurse; and

(b) Be certified as a Medication Administration Trainer in another jurisdiction approved by the Board; or

(c) Have successfully completed a Medication Administration Trainer Program approved by the Board.

6109.4 A person seeking approval from the Board of Nursing as a Master Medication Administration Trainer shall:

(a) Meet the criteria pursuant to § 6109.3; and

(b) Have two (2) years experience teaching a Medication Administration Course for Trained Medication Employees or other Board-approved medication administration course.

6109.5 The Board shall maintain a list of approved Medication Administration Trainers and Master Medication Administration Trainers.

6109.6 [REPEALED]

6109.7 The Board may conduct inspections or investigations of persons seeking approval to conduct a Medication Administration Course, and of approved Medication Administration Courses, as may be necessary to ensure compliance with this chapter.

6110 PROGRAM RESPONSIBILITIES

6110.1 Every program shall maintain a complete file for each of its trained medication employees, which shall contain a copy of the training completion statement, a copy of the trained medication employee's certification, and any records evidencing compliance or non-compliance by the trained medication employee with the procedures of the Act, these rules and program policies. All records shall be available for inspection by official government program monitors.

6110.2 Every program shall ensure that all trained medication employees have direct or telecommunication access to the supervisory registered nurse at all times.

6110.3 Every program shall maintain the records of every program participant as required in Sections 6101.1.

6110.4 Every program shall, before hiring a person certified as a trained medication employee, verify with the Board of Nursing that the certification is current and the trained medication employee has not had disciplinary action taken against him or her.

6111 ADMINISTRATION OF MEDICATION IN EMERGENCY OR LIFE-THREATENING CIRCUMSTANCES

6111.1 An anaphylaxis emergency treatment kit, epipen, AnaKit or equivalent injection system of epinephrine may be administered by a trained medication employee as prescribed by a licensed practitioner pursuant to the program's protocol or procedures.

6111.2 The trained medication employee shall be trained by the supervisory registered nurse in the use of the program participant's anaphylaxis emergency kit prior to administering any treatment.

6112 ASSESSMENT TOOLS

6112.1 Each program shall develop guidelines to assess whether a program participant:

(a) Has the ability to self-administer his or her medications;

(b) Requires the prescribed medication to be administered by a trained medication employee; or

(c) Requires the prescribed medication to be administered by a licensed practical or registered nurse.

6112.2 The program shall monitor each program participant's ability to self-medicate as follows:

(a) A registered nurse shall annually review the program participant's ability to self-administer medication correctly and document the program participant's ability to continue self-medication in the participant's records.

(b) A trained medication employee shall review the program participant's ability to self-administer medication at least quarterly and document the program participant's ability to self-administer medication as prescribed.

6199 DEFINITIONS

6199.1 As used in this chapter, the following terms have the meanings ascribed:

Administer - (a) The direct application of medication to the human body whether by ingestion, inhalation, insertion, sublingual, or topical means; or (b) An injection of epipen or equivalent injection system for emergency purposes only.

Applicant - A person applying for certification as a trained medication employee under this chapter.

Board - The Board of Nursing as established by section 204 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Code § 23302.4).

Client or Consumer - A program participant who is the recipient of nursing care.

Direct supervision - supervision in which the supervising nurse is available to the trained medication employee on the premises and within vocal communication either directly or by a communication device.

General supervision - supervision in which the supervising nurse is available to the trained medication employee for consultation either in person or by a communication device, but need not be physically present on the premises at the time the actions are performed.

Licensed practitioner - An individual licensed in the District of Columbia pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D. C. Code § 2-3301.1 et seq.).

MAR - Medication Administration Record.

Medication - a controlled (excluding Classes I and II) or non-controlled substance or treatment regarded as effective in bringing about recovery, restoration of health, alleviation of pain or symptoms of an illness, or the normal functioning of the body.

Medication Administration Course - The assembled curriculum encompassing all phases of medication administration authorized under D.C. Code §§ 21-1201 through 21-1204, for the instruction of applicants seeking certification as trained medication employees.

Practicum - A demonstration by a trainee of the correct procedures to administer medications, including the preparation, physical administration, recordation and documentation of the medication process. The practicum shall also include a demonstration of knowledge of a program participant's rights, universal precautions, vital

signs, and aseptic technique.

Program - An agency licensed, certified, or approved by the District government as a child care facility, private school, day program, community based residence, or other agency providing residential services, education, habilitation, vocational, or employment training services to individuals with mental retardation or other developmental disability.

Program participant - An individual with mental retardation or other developmental disability who is enrolled in or attending a public or private program:

Supervisory registered nurse - A District of Columbia licensed registered nurse that provides general supervision and review of a trained medication employee administering medications.

Trained medication employee - an individual employed to work in a program who has successfully completed a training program approved by the Board and is certified to administer medication to program participants.