

THESE RULES ARE TO BE REPEALED IN THEIR ENTIRETY DUE TO THE PASSING OF SENATE BILL 09-138 WHICH REPEALED SECTION 12-38.1-110.3 C.R.S., AND AMENDED SECTION 12-38.1-110.5, C.R.S.

DEPARTMENT OF REGULATORY AGENCIES

Division of Registrations

Board of Nursing

CHAPTER XIX-RULES AND REGULATIONS FOR MEDICATION AIDE AUTHORITY

General Authority - C.R.S. 12-38-108(1)(j) and C.R.S. 12-38.1-103(3);

Specific Authority - C.R.S. 12-38.1-110.5 and 12-38.1-111

1. STATEMENT OF BASIS AND PURPOSE

The rules are adopted to specify procedures used in obtaining medication aide authority. Adoption of these rules is necessary to comply with the enactment of SB 05-155.

Repealed: October 21, 2009

Effective: December 30, 2009

Deleted: 2. DEFINITIONS¶

2.1. "Board" is the Colorado State Board of Nursing ¶

2.2. "Licensed staff member," as used in C.R.S. 12-38.1-110.5(2)(b) and these rules, means a registered nurse, a practical nurse or a licensed psychiatric technician.¶

2.3. "Nursing Facility" is a nursing facility as defined by C.R.S. 26-4-103(11).¶

2.3. "Program Director" is the chief officer employed pursuant to C.R.S. 12-38-107. ¶

2.4. "Resident" means a patient residing in a long-term care or nursing facility.¶

2.5. "Routinely prescribed oral medications," as used in C.R.S. 12-38.1-110.5(3)(a)(II) and these rules, means any prescribed medication delivered by mouth, other than Coumadin, its derivatives or a scheduled controlled substance, that is consistent with a written care plan and is scheduled for administration according to a fixed and definite time schedule.¶

¶
3. AUTHORITY BY ENDORSEMENT¶

Medication aides from another state or territory of the U.S. are not eligible for authority by endorsement.

However, medication aides from another state or territory of the U.S. with the equivalent training and experience as required by C.R.S. 12-38.1-110.5(1) and (2) may be permitted by the Board to take the medication administration examination.¶

4. RENEWAL AND REINSTATEMENT¶

Unless the nurse aide certificate has expired for two or more years, the medication aide authority is renewed and reinstated as the nurse aide certificate is renewed and reinstated. If the nurse aide certificate has expired for two or more years, the medication aide authority is reinstated only after successfully re-passing the medication administration examination.¶

5. ELIGIBILITY¶

5.1. The certified nurse aide is responsible to maintain his/her own documentation of the number of hours worked in a nursing facility to meet the two thousand (2,000) hour statutory requirement. Acceptable documentation includes pay stubs, payroll records or letters from nursing facility management attesting to the number of hours worked by the applicant. The hours worked a ... [1]

Deleted: Adopted: August 31, 2006

Deleted: October 30, 2006

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- 5.2 Proof of successful completion of the educational requirements is established by one of the following methods:
- 5.2.1 An official transcript from an approved Colorado practical nursing program or approved licensed psychiatric technician educational program documenting successful completion of the required courses, credit hours and practicum. Where letter grades are provided, "successful completion" means a C or higher grade in each course.

5.2.2 An official certification of completion from a Medication Aide Program that has been reviewed by the Board and found to be in compliance with the educational and practicum requirements of C.R.S. 12-38.1-110.5(2). A list of such programs is available on the Board's web site.

5.3 An individual seeking medication aide authority must meet all the requirements of C.R.S. 12-38.1-110.5 and these rules.

6. SUPERVISION OF MEDICATION AIDES

6.1 A licensed registered nurse or a licensed practical nurse, not a certified nurse aide and not another medication aide, shall supervise medication aides.

6.2 Medication aides shall not administer medications if a licensed registered nurse or a licensed practical nurse does not currently supervise them.

6.3 Medication aides shall not precept or supervise medication aide students.

7. REGISTERED NURSE ASSESSMENT

A registered nurse shall make patient assessments in accordance with the plan of care before a medication aide may administer any medications.

The plan of care for a patient receiving medications shall include documentation of the medications administered and shall specify the frequency of assessments to be performed by the registered nurse. The plan of care will be in accordance with the generally accepted standards of nursing practice. The assessment will be valid until there is a change in the plan of care or when a patient's circumstance requires a more frequent assessment prior to medication administration. The registered nurse cannot delegate the patient assessment required by this rule.

Medication aides shall report any change in condition to the supervising nurse, prior to administering medications.

8. REGISTERED NURSE REVIEW OF MEDICATIONS

8.1 A licensed registered nurse shall review the medications to be administered by the medication aide and shall document the review in the patient/resident's record. This review occurs at least monthly in accordance with section 8.2. Medication review means that the licensed registered nurse has reviewed each patient/resident's medication orders to verify that the prescribed medications:

8.1.1 Are routinely prescribed oral medications;

8.1.2 Are not incompatible with each other;

8.1.3 Are not contraindicated for the patient/resident; and that

8.1.4 The medications will not create a risk of harm.

8.2 A registered nurse shall review the medications each time:

8.2.1 A new medication is added; or

8.2.2 With any change in medications orders, dosages or routes ordered.

8.3 A review of medications includes the frequent and periodic review of the Medication Administration Record (MAR) to verify that the medication aide is properly performing and documenting medication administration.

8.4 Medication aides shall not administer medications that have not been reviewed by a registered nurse.

9. THE SCOPE OF PRACTICE AND DELEGATION OF NURSING TASKS

A medication aide shall not, under delegated authority or under any circumstances, administer:

9.1.1. Coumadin, or its derivatives;

9.1.2. Controlled substances;

9.1.3. Non-oral medications; or

9.1.4. PRN medications.

A medication aide, while working in the capacity as a medication aide, shall not accept assignment of any other duties, not related to the administration of medications, until medications are administered.

10. REPORTING RULES

10.1. As used in C.R.S. 12-38.1-111(4), "Disciplinary action" means any disciplinary action taken by the employer against a medication aide, or the resignation of a medication aide in lieu of a disciplinary action resulting from such conduct, when such discipline or resignation is due to:

10.1.1 Medication administration error resulting in a negative patient outcome;

10.1.2 Conduct which poses a risk to the health and safety of a patient or the public;

10.1.3 The failure of the medication aide to respond to remediation efforts involving medication administration;

10.1.4 Diversion of any drugs; or

10.1.5 Failure of the medication aide to report a medication error to the supervising nurse.

11. APPLICATION PROCESS

The applicant has one year from the initial date of application to submit all the required documentation. Applicants who fail to timely complete the application process must begin the application process again.