

**CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

Pursuant to Code of Alabama 1975, §§41-22-5(b) and 41-22-6(c)(2)a. and b.

I certify that the attached emergency amended rule is a correct copy as promulgated and adopted on the 13th day of November, 2020.

AGENCY NAME: Alabama Board of Nursing

RULE NO. AND TITLE: 610-X-7-.11 Delegation To Medication Assistants, Certified In Settings Other Than Mental Health Residential Community Programs

EFFECTIVE DATE OF RULE: November 13, 2020

EXPIRATION DATE (If less than 120 days):


NATURE OF EMERGENCY: The COVID-19 crisis necessitates a additional allowances for the delegation authorized by the rule.

STATUTORY AUTHORITY: **Code of Alabama, 1975**, § 34-21-2(c)(1)

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS X YES NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:

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Signature of officer authorized to promulgate and adopt rules and regulations or his or her deputy

FILING DATE
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610-X-7-.11 ER Delegation To Medication Assistants, Certified In Settings Other Than Mental Health Residential Community Programs.

(1) A Medication Assistant, Certified (MAC) may perform limited medication administration tasks delegated to the MAC by a licensed nurse in a licensed healthcare facility other than a mental health residential community program only as permitted by this rule.

(a) In order to perform limited medication administration tasks delegated to the MAC by a licensed nurse, a MAC must successfully complete a Board-approved education program administered by the Alabama Community College System or a comparable program in another state, and hold a valid medication assistant certification (MACE).

(2) A licensed nurse may delegate limited medication administration tasks to a MAC in a licensed healthcare facility only when all of the following conditions are met:

(a) At least one licensed nurse is on the premises of the facility at the time when the delegated limited medication administration task occurs.

(b) The licensed nurse is accountable and responsible for the outcome of the delegated limited medication administration task performed by the MAC.

(c) The limited medication administration task delegated by the licensed nurse to the MAC is based on the patient's/resident's needs, as documented in the comprehensive and/or focused assessment by the registered nurse or licensed practical nurse and the outcome of a comprehensive assessment determines the medications that may safely be administered by a MAC to the patient/resident.

(d) The delegated limited medication administration task does not require the exercise of independent nursing judgment or intervention. Specific tasks that require independent nursing judgment or intervention that shall not be delegated include, but are not limited to:

1. Administration of injectable medications, with the exception of premeasured auto injectable medications for anaphylaxis, vaccinations, and opioid-related drug overdose.

2. Calculation of medication dosages, other than measuring a prescribed amount of liquid medication or breaking a scored tablet.

3. Receipt of verbal or telephone orders from a licensed prescriber.

4. Administration of medications ordered as needed (PRN), except under the direction of a licensed nurse.

5. Administration of controlled substances.

(e) Subject to all other limitations imposed by this rule, routes of medication administration for which the MAC may perform delegated limited medication administration tasks may include eye, ear, nose, oral, topical, inhalant, rectal, or vaginal.

(f) The licensed nurse delegating the medication administration may, at any time, suspend or withdraw the delegation of specific tasks to MAC(s).

(g) The licensed healthcare facility has authorized delegation of limited medication administration tasks and has complied with the requirements of this rule.

(3) The chief nursing officer or, if no such position exists within the licensed healthcare facility, an Alabama-licensed registered nurse who has oversight responsibility for delegation of medication administration in the facility shall:

(a) Develop facility policies and procedures related to delegation of limited medication administration tasks to the MAC which define the responsibilities of and required training for the delegating licensed nurse and the MAC, congruent with these rules.

(b) Submit, annually or upon request, a report to the Alabama Board of Nursing in a format specified by the Board, including, but not limited to:

1. Total number of patients/residents served by MACs participating in the nurse delegation program.

2. Total number of MACs that currently participate in the nurse delegation program.

3. Total number of MACs trained during the reporting period.

4. Total number of licensed nurses trained in MAC delegation during the reporting year.

5. Total number of medication errors in each category listed below:

Chapter 610-X-7

Nursing

- (i) Wrong person
- (ii) Wrong medication
- (iii) Wrong dose
- (iv) Wrong time/day
- (v) Wrong route
- (vi) Wrong purpose
- vii No documentation

(viii) Identify and implement a quality improvement plan for medication errors.

(c) Provide and document an initial and annual competency validation evaluation of the MAC performing the delegated limited medication administration tasks for all routes of administration.

Author: Alabama Board of Nursing

Statutory Authority: Code of Ala. 1975, §34-21-2(c)(21).

History: New Rule: Published June 30, 2020; effective August 14, 2020. **Emergency Rule:** Filed November 13, 2020.