

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 610 Department or Agency Alabama Board of Nursing
Rule No. 610-X-7.11 Delegation To Medication Assistants, Certified In Settings Other Than Mental Health Residential Community Programs
Rule Title: Delegation To Medication Assistants, Certified In Settings Other Than Mental Health Residential Community Programs
 New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes


Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.


Signature of certifying officer Peggy Sellers Benson, RN, MSHA, MSN, NE-BC

Date November 13, 2020

(DATE FILED)
(STAMP)

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ALABAMA BOARD OF NURSING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Nursing

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

INTENDED ACTION: The Alabama Board of Nursing proposes to amend the rules relating to licensing.

SUBSTANCE OF PROPOSED ACTION: The Alabama Board of Nursing proposes to amend ABN Administrative Code § 610-X-7-.11, to allow delegation of vaccine administration to Medication Assistants, Certified (MACs). A copy of the proposed rule may be found on the Board's web site, www.abn.alabama.gov, under "laws" and then "proposed rule changes."

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or verbal comments will be accepted until Monday, January 4, 2021. Verbal or written comments should be directed to Peggy Benson, Executive Officer, at P.O. Box 303900, Montgomery, AL 36130-3900 or via electronic mail at Peggy.Benson@abn.alabama.gov or via telephone at 334-293-5210.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
The record closes at 4:30 P.M. on Monday, January 4, 2021.

CONTACT PERSON AT AGENCY: Peggy Benson, Executive Officer.


Executive Officer

610-X-7-.11 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).

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. **Amended:** Published November 13, 2020