

4723-13-05

**Criteria and standards for a licensed nurse delegating to an unlicensed person.**

- (A) A registered nurse may delegate a nursing task to an unlicensed person if all the conditions for delegation set forth in this chapter are met.
- (B) A licensed practical nurse may delegate to an unlicensed person only at the direction of the registered nurse and if all the conditions for delegation set forth in this chapter are met.
- (C) An advanced practice registered nurse may delegate the administration of medication to an unlicensed person in accordance with the requirements set forth in division ~~(B)~~(C) of section 4723.48 of the Revised Code and section 4723.489 of the Revised Code.
- (D) Except as otherwise authorized by law or this chapter, a licensed nurse may delegate to an unlicensed person the administration of only the following medications:
- (1) Over-the-counter topical medications to be applied to intact skin for the purpose of improving a skin condition or providing a barrier; and
  - (2) Over-the-counter eye drop, ear drop, and suppository medications, foot soak treatments, and enemas.
- (E) Prior to delegating a nursing task to an unlicensed person, the delegating nurse shall determine each of the following:
- (1) That the nursing task is within the scope of practice of the delegating nurse as set forth in section 4723.01 of the Revised Code.
  - (2) That the nursing task is within the knowledge, skill, and ability of the nurse delegating the nursing task;
  - (3) That the nursing task is within the training, ability, and skill of the unlicensed person who will be performing the delegated nursing task;
  - (4) That appropriate resources and support are available for the performance of the task and management of the outcome; and
  - (5) That adequate and appropriate supervision by a licensed nurse of the performance of the nursing task is available in accordance with rule ~~4723.4732~~ 4723-13-07 of the Administrative Code.
  - (6) That:

- (a) The nursing task requires no judgment based on nursing knowledge and expertise on the part of the unlicensed person performing the task;
- (b) The results of the nursing task are reasonably predictable;
- (c) The nursing task can be safely performed according to exact, unchanging directions, with no need to alter the standard procedures for performing the task;
- (d) The performance of the nursing task does not require that complex observations or critical decisions be made with respect to the nursing task;
- (e) The nursing task does not require repeated performance of nursing assessments; ~~and~~
- (f) The consequences of performing the nursing task improperly are minimal and not life-threatening; and
- (g) Whether the nursing task, when added to the total number of delegated nursing tasks to be performed for an individual, indicates that the individual requires licensed nursing care rather than care provided by an unlicensed person.

(F) Prior to delegating a nursing task, the delegating nurse shall:

(1) Identify:

- (a) The individual on whom the nursing task may be performed; and
- (b) A specific time frame during which the delegated nursing task may be performed.

(2) Complete an evaluation of the conditions that relate to the delegation of the nursing task to be performed, including:

- (a) An evaluation of the individual who needs nursing care;
- (b) The types of nursing care the individual requires;
- (c) The complexity and frequency of the nursing care needed, including considering the number of nursing tasks required;
- (d) The stability of the individual who needs nursing care; and

- (e) A review of the evaluations performed by other licensed health care professionals.
- (G) The delegating nurse shall be accountable for the decision to delegate nursing tasks to an unlicensed person.
- (H) If a licensed nurse determines that an unlicensed person is not correctly performing a delegated nursing task, the licensed nurse shall immediately intervene.

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Certification

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