

TO BE RESCINDED

5123:2-6-01 **Definitions of terms used in Chapter 5123:2-6 of the Administrative Code.**

The following definitions shall apply to this chapter:

- (A) "Adult services" has the same meaning as in section 5126.01 of the Revised Code.
- (B) "Business day" means a day of the week, excluding Saturday, Sunday, or a legal holiday as defined in section 1.14 of the Revised Code.
- (C) "Certified home and community-based services provider" means a person or government entity certified under section 5123.045 of the Revised Code.
- (D) "Certified supported living provider" means a person or government entity certified under section 5123.161 of the Revised Code.
- (E) "Contact hour" has the same meaning as in Chapter 4723-14 of the Administrative Code.
- (F) "County board" means a county board of developmental disabilities.
- (G) "Delegable nursing task" means a nursing task, which a licensed nurse has determined meets the provisions listed in Chapter 4723-13 of the Administrative Code.
- (H) "Delegating nurse" means the licensed nurse who transfers the responsibility for performance of selected nursing tasks and/or medication administration to developmental disabilities personnel who have been trained and/or certified to do so, while retaining accountability of outcome. The delegating nurse determines the level of supervision required to ensure adequate oversight of developmental disabilities personnel to perform nursing tasks and/or administer medication. The delegating nurse is not necessarily the same nurse as the nurse who trains developmental disabilities personnel.
- (I) "Department" means the Ohio department of developmental disabilities.
- (J) "Department-approved curriculum" means the standards for instruction, training, and performance approved by the Ohio department of developmental disabilities.
- (K) "Developmental disabilities personnel" means the employees and workers who provide specialized services to individuals with developmental disabilities:

- (1) Through direct employment with the Ohio department of developmental disabilities or a county board;
 - (2) Through an entity under contract with the Ohio department of developmental disabilities or a county board; or
 - (3) Through direct employment or being under contract with private entities, including private entities that operate residential facilities.
- (L) "Director" means the director of the Ohio department of developmental disabilities or his or her designee.
- (M) "Drug" has the same meaning as in section 4729.01 of the Revised Code.
- (N) "Employer oversight" means the monitoring of developmental disabilities personnel and ensuring developmental disabilities personnel perform health-related activities and administer medication in accordance with this chapter.
- (O) "Family support services" has the same meaning as in section 5126.01 of the Revised Code.
- (P) "Health-related activities" means only:
- (1) Taking vital signs;
 - (2) Application of clean dressings that do not require health assessment;
 - (3) Basic measurement of bodily intake and output;
 - (4) Oral suctioning;
 - (5) Use of glucometers;
 - (6) External urinary catheter care;
 - (7) Emptying and replacing colostomy bags; and
 - (8) Collection of specimens by noninvasive means.

- (Q) "Independent provider" means a self-employed person who provides services for which he or she must be certified in accordance with rule 5123:2-2-01 of the Administrative Code and does not employ, either directly or through contract, anyone else to provide the services.
- (R) "Individual" means a person with a developmental disability.
- (S) "Individual plan" or "individual service plan" means the written description of services, supports, and activities to be provided to an individual.
- (T) "Individual-specific training" means training provided to developmental disabilities personnel by a licensed nurse or by an employer of developmental disabilities personnel through employer oversight, which shall address:
- (1) The unique needs of the individual being served;
 - (2) A summary of the individual's relevant health care information; and
 - (3) Implementation of the individual's health care plan as part of the individual plan or individual service plan.
- (U) "Licensed health professional authorized to prescribe drugs" has the same meaning as in section 4729.01 of the Revised Code.
- (V) "Licensed nurse" means a registered nurse or a licensed practical nurse who holds a current valid license to practice nursing in Ohio pursuant to Chapter 4723. of the Revised Code.
- (W) "Major unusual incident" has the same meaning as in rule 5123:2-17-02 of the Administrative Code.
- (X) "Medicaid" has the same meaning as in section 5162.03 of the Revised Code.
- (Y) "Medication/treatment error" means:
- (1) Wrong medication/treatment administered or performed;
 - (2) Medication/treatment administered or performed at the wrong time;

- (3) Medication/treatment administered or performed by a route not prescribed;
 - (4) Incorrect dose or amount of medication/treatment administered or performed;
 - (5) Expired medication/treatment administered or performed;
 - (6) Contaminated medication/treatment administered or performed;
 - (7) Improperly stored medication/treatment administered or performed;
 - (8) Medication/treatment administered or performed without corresponding order from a licensed health professional authorized to prescribe drugs;
 - (9) Not performing or administering a medication/treatment during the prescribed time, including failure to ensure the medication/treatment, equipment, or supplies needed to administer or perform the medication/treatment are available at the prescribed time;
 - (10) Not documenting a medication/treatment that was administered or performed;
 - (11) Administration of medication/treatment by developmental disabilities personnel without certification or whose certification has expired; and
 - (12) Administration of medication/treatment without nursing delegation when nursing delegation is required.
- (Z) "Mentally alert" means the ability of an individual to cognitively understand and communicate specific information pertaining to his or her health, safety, and medication.
- (AA) "Nursing delegation" means the process established in rules adopted by the Ohio board of nursing pursuant to Chapter 4723. of the Revised Code under which a registered nurse or licensed practical nurse acting at the direction of a registered nurse transfers responsibility for the performance of a particular nursing activity, task, or prescribed medication administration to another person who is not otherwise authorized to perform the activity, task, or prescribed medication administration.
- (BB) "Nursing task" means those activities that constitute the practice of nursing as a licensed nurse and may include but is not limited to, assistance with activities that

are performed to maintain or improve an individual's wellbeing when the individual is unable to perform those activities for himself or herself.

- (CC) "Oral prescribed medication" means any prescribed medication that can be ingested through the mouth.
- (DD) "Prescribed medication" means a drug that is to be administered according to the instructions of a licensed health professional authorized to prescribe drugs.
- (EE) "Qualified intellectual disability professional" has the same meaning as in 42 C.F.R. 483.430 in effect on the effective date of this rule.
- (FF) "Quality assessment registered nurse" means a registered nurse who is a registered nurse instructor or registered nurse trainer employed by or under contract with a county board and who assists with consultation and quality assessment oversight as set forth in rule 5123:2-6-07 of the Administrative Code.
- (GG) "Registered nurse instructor" means a registered nurse who is certified by the Ohio department of developmental disabilities in accordance with rule 5123:2-6-04 of the Administrative Code to plan, develop, coordinate, and deliver a course of instruction (i.e., the registered nurse train-the-trainer program) to prepare other registered nurses to train developmental disabilities personnel to perform health-related activities, administer oral prescribed medication, apply topical prescribed medication, administer oral prescribed medication via stable labeled gastrostomy tube or stable labeled jejunostomy tube, or administer subcutaneous insulin injections.
- (HH) "Registered nurse trainer" means a registered nurse who is certified by the Ohio department of developmental disabilities in accordance with rule 5123:2-6-04 of the Administrative Code to train developmental disabilities personnel to perform health-related activities, administer oral prescribed medication, apply topical prescribed medication, administer oral prescribed medication via stable labeled gastrostomy tube or stable labeled jejunostomy tube, or administer subcutaneous insulin injections.
- (II) "Residential facility" has the same meaning as in section 5123.19 of the Revised Code.
- (JJ) "Service and support administrator" means a person, regardless of title, employed by or under contract with a county board to perform the functions of service and support administration and who holds the appropriate certification in accordance with rule 5123:2-5-02 of the Administrative Code.

- (KK) "Specialized services" has the same meaning as in section 5123.50 of the Revised Code.
- (LL) "Subcutaneous insulin injection" includes injection of prescribed insulin by syringe and needle subcutaneous injection and by insulin pump injection.
- (MM) "Task" means a task that is prescribed, ordered, delegated, or otherwise directed by a health care professional acting within the scope of his or her professional practice.
- (NN) "Topical prescribed medication" means any prescribed medication that is applied to the outer skin and drops applied to the eye, ear, or nose. "Topical prescribed medication" may include transdermal prescribed medication or vaginal or rectal suppositories.
- (OO) "Unusual incident" has the same meaning as in rule 5123:2-17-02 of the Administrative Code.

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Certification

Date

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