



Ohio Legislative Service Commission

Bill Analysis

Elizabeth Molnar

H.B. 96

131st General Assembly
(As Introduced)

Reps. Pelanda and Bishoff, Brenner, Becker, Rogers, Hood, Schuring, Blessing, Lepore-Hagan

BILL SUMMARY

- Permits certain advanced practice registered nurses to delegate to persons not otherwise authorized to administer drugs the authority to do so under specified conditions.
- Requires the Ohio Board of Nursing to adopt rules establishing standards and procedures for the delegation of the authority to administer drugs.

CONTENT AND OPERATION

Delegation of the authority to administer drugs

The bill allows an advanced practice registered nurse (APRN) to delegate to a person not otherwise authorized to administer drugs the authority to administer a drug to a specified patient if certain conditions are met.¹ The APRN must be a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner and hold a certificate to prescribe issued by the Ohio Board of Nursing.

Under current law, physicians are authorized to delegate the authority to administer drugs.² Registered nurses and licensed practical nurses may delegate the authority to administer drugs in limited circumstances. These include: (1) delegating to medication aides employed in nursing homes or residential care facilities the authority to administer prescription drugs to residents and (2) delegating to personnel providing

¹ R.C. 4723.48(C).

² R.C. 4731.053, not in the bill.

certain services to individuals with developmental disabilities the authority to administer oral and topical medications and insulin in specified locations.³

Conditions on APRN delegation

Prior to delegating the authority to administer a drug, the bill requires that the APRN assess the patient and determine that the drug is appropriate for the patient.⁴ The APRN must also determine that the person to whom the authority will be delegated has successfully completed education based on a recognized body of knowledge concerning drug administration and demonstrates to the person's employer the knowledge, skills, and ability to administer the drug safely. The delegation must be in accordance with standards and procedures established in rules adopted by the Board.

Authority to administer a drug

Under the bill, a person is authorized to administer a drug under an APRN's delegation only if the following conditions are satisfied:

- (1) The drug will be administered to a specified patient;
- (2) The drug is listed in the formulary established by the Board for APRNs with authority to prescribe drugs and is not a controlled substance or to be administered intravenously;⁵
- (3) The drug is to be administered at a location other than a hospital inpatient care unit, a hospital emergency department, a freestanding emergency department, or an ambulatory surgical facility;
- (4) The person has successfully completed education based on a recognized body of knowledge concerning drug administration and demonstrates to the person's employer the knowledge, skills, and ability to administer the drug safely;
- (5) The person's employer has given the APRN access to documentation, in written or electronic form, showing that the person has successfully completed the required education and demonstrates to the employer the knowledge, skills, and ability required by the bill;

³ R.C. 4723.67 and 5123.42, not in the bill.

⁴ R.C. 4723.48(C).

⁵ R.C. 4723.50, not in the bill.

(6) The APRN is physically present at the location where the drug is administered.⁶

Standards and procedures for delegation

The bill requires the Board to adopt rules establishing standards and procedures for APRN delegation of the authority to administer drugs. The rules must be adopted in accordance with the Administrative Procedure Act (R.C. Chapter 119.).⁷

HISTORY

ACTION	DATE
Introduced	03-03-15

H0096-I-131.docx/ks

⁶ R.C. 4723.489.

⁷ R.C. 4723.07(Q) and 4723.48(C).

