ADMINISTRATION OF PRESCRIPTION MEDICATIONS IN MASSACHUSETTS SCHOOLS

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OBJECTIVES

Review Massachusetts Regulations
Recognize Challenges
Ensure Safe Delivery of Prescription Medications

Purpose of Regulations 105 CMR 210.000

“...to provide minimum standards for the safe and proper administration of prescription medications

to students in the Commonwealth’s public and private primary and secondary schools.
105 CMR 210.000

Regulations Permit School Nurses to Delegate Responsibility for Administration of Prescription Medications to trained, Nursing-Supervised School Personnel

Options Permitted in the Regulations

1. Administration by licensed personnel

2. Delegation to unlicensed personnel under the management of the School Nurse:
   *a. full delegation
   *b. limited delegation (field trips)

3. Administration of epinephrine by unlicensed personnel

Requirements

✓ Agreement at the school district level by the School Nurse, School Physician, Superintendent (Administrator) and School Committee (Directors).

✓ Registration with the Department of Public Health after certain conditions are met.
Massachusetts Laws and Regulations Affecting Delegation of Medication Administration

MGL Chapter 112 Section 80B & 244 CMR 3.05
Nurse Practice Act and Regulations
MGL C258 S2
Tort Claims Act
MGL C71 S54B & C94C
Delegation of Medications in Schools
Self-Administration – inhalers; enzyme supplements; glucose monitoring tests; insulin delivery
105 CMR 210.005
Delegation Regulations
http://www.mass.gov/legis/laws/mgl/index.htm

Nurse Practice Act
M.G.L. c112.s.80B
Includes in the definition of professional nursing: “Professional nursing shall mean…teaching or supervising others…”
244 CMR 3.05
A R.N., within the parameters of his/her generic and continuing education and experience, may delegate nursing activities to other…health care personnel, provided that the delegating nurse shall bear full and ultimate responsibility for:
1. Making an appropriate assessment:
2. Properly and adequately teaching, directing and supervising the delegatee;
3. The outcome of the delegation.

The regulations further state that the activity to be delegated must be within the nurse’s scope of practice, and the activity must be within the unlicensed person’s job description and be in compliance with the employing agency’s policies and procedures.

Activities Which May Not Be Delegated
244 CMR 3.105 (5)

- Nursing activities which require nursing assessment and judgment during implementation
- Physical, psychological and social assessment which requires nursing assessment, intervention and follow-up
- Formation of the plan of nursing care and evaluation of the patient/client’s response to the care provided
- Administration of medications except as permitted under M.G.L. c94C.
The Board of Registration in Nursing supports the school administration regulations because they:

1. Permit the nurse full authority and responsibility for making decisions regarding delegation;
2. Require the nurse to make an assessment prior to delegating;
3. Require a formal training program in medication administration for unlicensed staff; an assessment of competency by the school nurse is required;
4. Give the School Nurse decision-making authority regarding (a) number of staff s/he can supervise, and (b) the degree of supervision s/he will provide.

Note: 210.005 (1), page 1127 states “For the purposes of 105 CMR 210.000, a Licensed Practical Nurse functions under the general supervision of the School Nurse who has delegating authority.”

Tort Claims Act

M.G.L. c.258, s.2 provides that public employers “shall be liable for injury or loss to property or personal injury or death caused by the negligent or wrongful act of omission of any public employee acting within the scope of his office or employment.

ISSUES
Nurses working in private schools
Malpractice insurance

Questions to Consider About Delegation
(Board of Registration in Nursing)
1. Is this a nursing activity under the Board of Nursing’s definition of nursing? “Professional nursing shall mean the performance for compensation of any of those services in observing and caring for ill, injured or infirm, in applying counsel and procedures to safeguard life and health, in administering treatment or medication prescribed by a licensed prescriber or in teaching or supervising others, which are commonly performed by registered nurses and which require specialized knowledge and skill such as are taught and acquired under the established curriculum in a school for nurses.”

Note: Medications may not be delegated except under the provisions of 94C. The current school medication administration regulations are in conformance with both 94C and the Nurse Practice Act.
Other Considerations

- Valid order from a licensed prescriber
- Need for nursing assessment before delegation; determine the level of care needed
- Determine the level of training required
- Competency of the unlicensed person
- Written plan of care
- Degree of supervision required
- Specific conditions as to when the unlicensed person should consult with the R.N.
- Documentation

Administration of Medications Within the School System

School nurse manages the total Medication Administration Program

- Collaborates with school committee/administrators/school physician to establish policies;
- Defines which medications may be delegated;
- Designates who may administer;
- Ensures training of designees;
- Establishes record-keeping system.

For the individual child:

- Completes the health care plan;
- Gives first dose of medication (if medication has never been given before in any setting);
- Oversees the ongoing administration of medications;
- Determines whether to delegate administration and to whom.

Registration Process

Mail or Fax Request for an Application On School Letterhead to:

Janet Burke  
School Health Services  
Massachusetts Department of Public Health – Fifth Floor  
250 Washington Street, Fifth floor  
Boston, MA 02108-4619  
Fax: (617) 624-6062

To review Regulations visit:

http://www.mass.gov/dph/fch/schoolhealth/medadmin.htm
OVERVIEW OF APPLICATION PROCESS

SCHOOL SYSTEM → Completed Application Received →

MDPH/SHU/SHA Evaluation of Application →

Full Delegation
Yes → Field Trips → EPI-PEN →

SHA works with school → MDPH/DOFD Processing → Certificate to School → Certificate to School →

RENEWAL PROCESS

Delegation and Supervision

✓ School is registered with the Massachusetts Department of Public Health – DESE recognized
  Unlicensed personnel are under the supervision of the School Nurse
  ▶ School Nurse selects, trains, supervises
  ▶ School Nurse supports and assists trained unlicensed personnel
  ▶ On-site supervision required for the first time an unlicensed person administers medication
  ▶ Amount of on-going supervision varies according to condition of student, ability of unlicensed person, type of medication, availability of School Nurse

Delegation & Supervision, cont.

✓ For each individual student, the school nurse shall:
  ▶ Determine whether it is safe and appropriate to delegate
  ▶ Administer the first dose if:
    There is potential risk to the child (e.g. difficulty in swallowing)
    Student has not previously received this medication in any setting
  ▶ Review initial orders, side effects, etc. With unlicensed person
  ▶ Provide supervision and consultation as needed
  ▶ Review all documents at least every two weeks
Training of School Personnel

√ Only properly trained and supervised school personnel may administer the medication (categories of unlicensed personnel to be determined by the School Committee)

√ Training is provided by or under the direction of the School Nurse – (4hrs/2hrs)

√ Training program includes content and competency test developed and approved by the Department of Public Health

√ School nurse documents training and evidence of competency of unlicensed persons

√ Annual training review and informational up-date for authorized school staff

ADMINISTRATION OF EPINEPHRINE TO STUDENTS WITH A DIAGNOSED LIFE-THREATENING ALLERGIC CONDITION

✓ Need approved policies & procedures

✓ Nurse(s) provide oversight and manage(s) program

✓ Unlicensed personnel are trained to administer epinephrine via auto-injector by or School Nurse as per D.P.H. standards with training, review and update twice a year

✓ Storage plan limits access to appropriate personnel, but not locked

✓ Planning for student risk reduction

✓ Immediate call to local EMS followed by notification of relevant persons when epinephrine given – Report to MDPH

Challenges of Epinephrine Administration

• Physician orders Benadryl
  – Cannot be delegated

• School’s Responsibility
  – Nursing Availability
  – Education Parents
  – Inform Prescriber

2 Doses in One Device
Only the first dose can be administered by unlicensed personnel
Life Threatening Allergies

- “Epinephrine is the first medication that should be used in the emergency management of a child having a potentially life-threatening allergic reaction.”
  (American Academy of Allergy Asthma and Immunology)

FIELD TRIPS

- Always make effort to have nurse attend
- Assess each Field Trip
- Written consent from parent/guardian
- Medication administration plan
- School nurse trains individuals for child specific administration
- Preparation - Storage - Authorized signature

Field Trip Challenges

- Nurse Notification
- Nursing Availability
- Oral Prescription Medications
- Over the Counter Medications
- Life Threatening Allergies
- Diabetes – Injectables
- Asthma – Inhalers
- Destination
Self-Administration of Medications

- As described in the medication administration plan
- Assess student’s ability (not always age-related)
- Enzymes/Inhalers/Insulin

- Implications of student’s access to their medications—storage
  * In student’s possession
  * In health office
- Supervision and record keeping
  * Observation of initial dose
  * Procedure for documentation of self-administered drugs

Over the Counter Medications

(Board of Registration in Nursing Policy)

- Registered nurses may administer OTCs to students in Massachusetts schools based on protocols which have been developed in collaboration with the school department’s duly authorized prescriber, provided the appropriate school administrative authority allows the use of such protocols.

√ Protocols must include the following information:
  ► Drug Name
  ► Dose to be administered
  ► Dosage frequency
  ► Indications for use
  ► Contraindications
  ► Potential side effects
  ► Assessment criteria to be gathered prior to administering a particular medication
    - Assessment of the following information:
      ► Student’s current medication profile
      ► The student’s history of allergies
      Parental Consent
      Documentation

Handling, Storage, Disposal

- Parent/guardian delivers all medications (except in extenuating circumstances).
- Medication must be pharmacy labeled

- Medications must be stored in locked secure cabinet or refrigerator.
- Access to keys only to authorized persons
- No more than 30 days’ supply stored at school
- Parents/guardians shall retrieve all unused, outdated, or discontinued medications
Documentation and Record Keeping
Record should include:

- Medication Administration Plan
- Licensed prescriber’s order
- Parent/guardian authorization

Daily log contains:
- Dose or amount
- Date and time of administration or omission
- Full signature of nurse or delegate initially, initials subsequently
- Significant observations re: effectiveness/ adverse reactions

Medication Errors

* Notify parent/guardian immediately
* If harm possible notify provider
* Diversion/Drug Loss – Notify MDPH & Local Authorities
* Document on accident/incident form
* Review reports of errors to reduce chance of repeat