

AN ACT

To amend sections 4723.67 and 4723.69; to enact section 4765.163; and to repeal section 4723.671 of the Revised Code to establish a process for the revision of training subjects for EMS personnel and to revise the law governing medication aides.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 4723.67 and 4723.69 be amended and section 4765.163 of the Revised Code be enacted to read as follows:

Sec. 4723.67. (A) In accordance with this section, a medication aide who holds a current, valid medication aide certificate issued under this chapter may administer prescription medications to the residents of nursing homes and residential care facilities, but only pursuant to the supervision of a registered nurse or a licensed practical nurse acting at the direction of a registered nurse.

(B) In exercising the authority to administer prescription medications pursuant to nursing supervision, all of the following apply to a medication aide:

(1) Subject to division (B)(4) of this section, a medication aide may administer prescription medications in by any of the following categories/methods:

~~(1) Oral (a) Giving medications to be taken orally;~~

~~(2)(b) Topical medications/application;~~

~~(3)(c) Medications administered-Application as drops to the eye, ear, or nose;~~

~~(4)(d) Rectal insertion and vaginal medications;~~

~~(5) Medications insertion.~~

(2) A medication aide may administer medications prescribed with a designation authorizing or requiring administration on an as-needed basis, regardless of whether the supervising nurse is present at the home or facility.

(3) A medication aide may administer initial doses of prescription medications.

(4) A medication aide may administer medications containing a schedule II controlled substance, as defined in section 3719.01 of the Revised Code, but only by the methods described in divisions (B)(1)(a) and (b) of this section.

(C) All of the following limitations apply to the authority of a medication aide to administer prescription medication:

(1) A medication aide shall not administer prescription medications requiring dosage calculations.

~~(2) A medication aide shall not administer prescription medications by any of the~~

following methods:

- ~~(1)(a)~~ Injection, except for insulin as provided in division ~~(E)(D)~~ of this section;
- ~~(2)(b)~~ Intravenous therapy procedures;
- (3) ~~Splitting~~ A medication aide shall not split pills for purposes of changing the dose being

given.

~~(E)(D)~~ A medication aide may administer insulin to a resident by injection, but only if both of the following are satisfied:

(1) The medication aide satisfies training and competency requirements established by the aide's employer.

(2) The insulin is injected using an insulin pen device that contains a dosage indicator.

Sec. 4723.69. (A) The board of nursing may adopt rules to implement sections 4723.61-4723.63 to 4723.68 of the Revised Code. All rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code.

(B) If the board adopts rules under this section establishing standards governing approval of and participation in medication aide training programs, both of the following apply:

(1) With respect to supervised clinical practice components of training programs, when such training is provided in a nursing home or residential care facility and the home or facility has been notified by the department of health of real and present danger related to its administration of medications or provision of skilled nursing care, the board shall prohibit the home or facility from commencing any further supervised clinical practice components until either of the following occurs:

(a) A plan of correction is approved.

(b) The home or facility resolves the danger.

The board shall allow a training program to continue any supervised clinical practice components that commenced prior to the department of health notifying the home or facility.

(2) If the rules establish a minimum or maximum number of days for participating in or completing a training program, the board shall base that number on calendar days rather than business days.

Sec. 4765.163. (A) The state board of emergency medical, fire, and transportation services shall establish a process by which any person may submit a petition to the board requesting that a topic be included in a training or continuing education program for first responders, EMTs-basic, EMTs-I, or paramedics that is in addition to the topics specified in section 4765.16 of the Revised Code. A person shall submit a petition to the board in a manner prescribed by the board. A petitioner shall not seek to add a broad category of topics.

(B) Upon receipt of a petition, the board shall review it to determine whether to approve or deny the addition of the topic described in the petition. The board shall approve or deny a petition in accordance with rules adopted by the board under section 4765.11 of the Revised Code.

(C) Upon approval of a topic, the board shall require the topic to be included in the training

or continuing education programs and shall adopt rules as necessary, in accordance with section 4765.11 of the Revised Code, regarding the number of hours required for the topic.

SECTION 2. That existing sections 4723.67 and 4723.69 of the Revised Code are hereby repealed.

SECTION 3. That section 4723.671 of the Revised Code is hereby repealed.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. H. B. No. 303

135th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____