

Waiver Nursing Delegation

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Health-Related Supports

- A continuum of supports are available to help people who need assistance with medication administration or other health-related tasks
 - Non-nursing (“unlicensed”) staff with medication administration certification
 - Unlicensed staff with delegation by a licensed nurse
 - Nursing services
 - Medicaid state plan
 - Waiver

Health-Related Payer Sequencing

Medication Certification

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graph TD; A[Medication Certification] --> B[Nursing Delegation]; B --> C[State Plan Services]; C --> D[Waiver Nursing];
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Nursing Delegation

State Plan Services

State Plan Home Health Services, including HealthChek

State Plan Post-Hospital Services

State Plan Private Duty Nursing

Waiver Nursing

Nursing Delegation

- Ohio Board of Nursing (OBN) has authority over rules pertaining to delegation of nursing tasks (OAC 4723-13)
- There is no “list” of items that may/may not be delegated.

Nursing Delegation

- The decision to delegate is based on whether:
 - The task is within the delegating nurse's
 - Scope of practice;
 - Knowledge, skill, and ability;
 - The task is within the unlicensed person's training, ability, and skills;
 - Appropriate resources and support are available; and
 - Adequate/appropriate supervision by the nurse is available.

Nursing Delegation

- Tasks that may be delegated include tasks that:
 - Require no nursing judgment;
 - Have reasonably predictable results;
 - Can be performed according to exact, unchanging directions;
 - Do not require complex observations or critical decisions;
 - Do not require repeated nursing assessments; and
 - Pose minimal/non-life-threatening risks if performed improperly.

Waiver Nursing Delegation

- Effective February 2018 for people enrolled in the Level One, SELF, and Individual Options Waivers.
- Pays for the assessment and supervision activities required by a licensed nurse who delegates the performance of health-related tasks to unlicensed personnel, such as:
 - Tube feedings
 - Insulin
 - Other tasks the nurse agrees to teach direct care to do

Waiver Nursing Delegation

- Does not count against waiver budget
- May be delivered by agencies or independent providers
- Pays the nurse for two different activities
 - Assessment
 - Consultation

Waiver Nursing Delegation

- The service cannot be billed for:
 - Participating in ISP meetings;
 - Consulting with team members on matters not related to nursing delegation;
 - Providing direct nursing services;
 - Coordinating a person's healthcare;
 - Conducting general health-related training; and
 - Conducting training for medication administration certification

Waiver Nursing Delegation

- Nursing Delegation Assessment
 - A registered nurse (RN) assesses the individual's health to see if it is safe for a direct care staff to do the nursing tasks.
 - An individual can get up to one assessment every 60 days by the nurse at home and one every 60 days at day program, if needed.*
- * An assessment is not required every 60 days. The reason for the assessment must be documented.
 - Hospital discharge
 - Significant change
 - Initiation of waiver nursing delegation

Waiver Nursing Delegation

- Nursing Delegation - Consultation
 - A registered nurse (RN) or licensed practical nurse (LPN) working with an RN can provide this service
 - Talk with the individual's doctor about the nursing tasks the direct care staff perform
 - Make sure the direct care staff meet the criteria (GED/Diploma, training, etc.) to perform the nursing tasks
 - Teach the staff to perform the task and make sure they can do it safely
 - Talk with the individual about how the direct care staff is doing
 - Talk with the direct care staff about issues/questions related to the nursing tasks they were taught to do
 - Can get NO MORE than a total of 10 hours/month

Waiver Nursing Delegation

- Nursing Delegation - Consultation
 - Consultation with individual receiving services, physicians, or unlicensed personnel may be performed via
 - In-person contact;
 - Telephone/teleconferencing;
 - Videoconferencing; or
 - Other means

Waiver Nursing Delegation

- Certification
 - Agency providers apply for Waiver Nursing Delegation through DODD's Provider Services Management (PSM) system.
 - Independent providers must apply through the Ohio Department of Medicaid's (ODMs) Medicaid Information Technology System (MITS).

Waiver Nursing Delegation

- Authorization
 - Is not provider-specific in the Medicaid Services System (MSS)
 - The ISP must include details regarding the amount, scope, frequency, and duration of services to be delivered by each provider
 - Number of assessments authorized in each setting
 - Number of hours of consultation allotted to each nurse

Waiver Nursing Delegation

- Payment
 - Claims must be submitted directly through MITS
 - Certified providers are able to submit claims for assessment and consultation, up to the maximum permitted by rule

Delegation and the Medical Add-On

- The medical assistance rate modification shall apply to routine HPC and day/employment services when an individual requires:
 - Routine feeding and/or meds through a G/J tube, and/or routine insulin through subcutaneous injections or pump;
 - Oxygen that the nurse agrees to delegate; or
 - Nursing procedure/task that a licensed nurse agrees to delegate

Delegation and the Medical Add-On

- The requirements are different in various environments. See Medication Administration Reference Grid.
- If a person is eligible in one environment, the add-on applies in all environments
 - Example: delegated oxygen in a day program

Authority of DD Personnel to Perform Services by Type - Medication Administration Reference Grid (ORC 5123.41-.47 and OAC 5123:2-6-3)

 Applicable Setting	County Board (CB) responsibility for Quality Assessment (QA) by RN. See outlined boxes				
	Certification 1	Certification 1	Certification 2	Certification 3	Delegable Nursing Tasks
	13-HRAs (Health-Related Activities) (HRAs may be delegable without certification per OAC 4723-13)	Medication Administration (Prescribed Oral, Topical, O2 and Inhalers)	G / J Tube Prescribed Medication Administration	Insulin by Sub-Q Injection & Pump and injectable treatments for metabolic glyceimic disorders	Including 13 HRAs & Administration of Nutrition by G/J Tube
Adult Services Settings up to 16 people	Without nursing delegation	Without nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Family Support Services	Without nursing delegation	Without nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Certified Supported Living Services (1-4 individuals per living arrangements)	Without nursing delegation	Without nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Certified Home and Community Based Services (1-4 individuals per living arrangements)	Without nursing delegation	Without nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Residential Facilities : 1-5 Beds	Without nursing delegation	Without nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Early Intervention, Pre-School, School Age	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Adult Services Settings with 17 or more people	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Residential Facilities : 6 or more Beds	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation
Other Services by DD Boards or by Ohio Dept of DD	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation	With nursing delegation

*As per ORN's Administrative Code Chapter 4723-13, an RN may delegate specific NURSING TASKS to uncertified personnel

Nursing Task Assessment

- Is NOT a clinical assessment.
 - Boards DO NOT determine what nursing tasks a person requires
 - Only used to reflect the tasks ordered by a physician and the resources available to perform those tasks
 - Unpaid
 - Non-Medicaid-funded (private insurance, Medicare, etc.)
 - State plan
 - Waiver

Nursing Task Assessment

- Classification 1: Nursing could be authorized if paid supports are needed
- Classification 2: Nursing authorized ONLY in extenuating circumstances

Signature _____

Date _____

Classification: 1. If paid support is required for this task, Nursing could be authorized. 2. Nursing only authorized if extenuating circumstances exist, such as; a. unstable medical condition b. no available provider c. other (explain)

For any task for which Nursing is needed (whether it's met or needed), the assessor must indicate in the "comments/notes" section the times of day to perform each task as well as indicate the proposed Nursing schedule and total authorization needed.

"Licensed RN" - Tasks performed only by a Registered Nurse or Licensed Practical Nurse acting within the scope of his/her practice.

"Licensed LPN" - Tasks performed only by a Registered Nurse or Licensed Practical Nurse acting within the scope of his/her practice.

"RN delegation" - Tasks delegated by an RN in accordance with chapter 5123:2-6 of the Ohio Administrative Code

"Non-licensed with family delegation" - Tasks delegated to independent providers who DO NOT possess a Nursing license. Tasks are delegated by family members who live with the individual in accordance with ORC 5123.47.

"Non-licensed with certification" - Tasks performed without Nursing delegation by staff who have completed the medication administration curriculum outlined in chapter 5123:2-6 of the Ohio Administrative Code.

"Non-licensed" - Tasks that may be performed by paid staff without additional certification, RN delegation, and/or family delegation.

"Unpaid natural support" - Tasks performed by unpaid personnel who are appropriately trained to do so by medical professionals managing the individual's care

Care Required	Classifications	How are current needs being met now?	Nursing Requested?	Comments Section: If classified #2, and answered Yes, provide explanation If any Nursing is used for task(s): provide frequency and duration of task(s) performed/day
Tracheostomy				
1) Performing respiratory assessment:	1			
2) Tracheostomy suctioning				
a. Visual inspection of individual at least q 15 minutes to determine need for tracheal suctioning based upon:				
i. Up to 4 hours/day	1			
ii. Between 4 - 8 hours/day	1			
iii. Between 8 - 12 hours/day	1			
iv. Between 12 - 16 hours/day	1			
v. Between 16 - 20 hours/day	1			
vi. Between 20 - 24 hours/day	1			
b. Suctioning procedure typical for tracheostomy				
i. Suctioning required up to 10x/day	1			
ii. Suctioning required more than 10x/day	1			
3) Tracheostomy Care includes:				
a. Changing tracheostomy ties				
i. Changing ties daily	1			
ii. Changing ties > 1x/day	1			
b. Cleaning tracheostomy				
i. Daily stoma site cleaning	2			
ii. Cleaning tracheostomy inner cannula daily	1			
iii. Cleaning tracheostomy inner cannula > 1x/day	1			
c. Checking tracheostomy cuff pressure 2-3x/day	1			
d. Changing Tracheostomy Tubes				
i. Trach tube change weekly	1			
ii. Trach tube change > 1x/week	1			

Nursing Task Assessment

- Whenever a county board indicates nursing is requested for a “category 2” task,
 - Extenuating circumstances must be reflected on the assessment form;
 - Supporting documentation of that circumstance may be requested

Delegation and Nursing

- It is possible for a person's needs to be met through a combination of unlicensed personnel and nursing.
- This occurs most often with a combination of Homemaker/Personal Care providers and state plan home health nursing.

Resources

- Medication Administration Reference Grid
<http://dodd.ohio.gov/HealthandSafety/Documents/Med%20Admin%20Ref%20Grid.pdf>
- At-a-glance tools for
 - State plan home health
 - RN assessment/consultation through the state plan
 - Private Duty Nursing (PDN)<http://dodd.ohio.gov/Medicaid/Pages/Medicaid-State-Plan-Services.aspx>

Questions?