

Information Memorandum Transmittal Developmental Disabilities Services



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Number: DD-IM-21-098

Issue date: 11/18/2021

Topic: Developmental Disabilities

Due date: 12/31/2021

Subject: CME Notification Regarding Nursing Delegation Changes and Possible Assistance to Registered Nurses

Applies to (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging: {Select type} | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input checked="" type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input checked="" type="checkbox"/> County DD Program Managers | <input checked="" type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input checked="" type="checkbox"/> Support Service Brokerage Directors | <input checked="" type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Message:

This Information Memorandum is intended to notify Case Management Entities (CME's), due to changes made to Oregon State Board of Nursing (OSBN) rules, Registered Nurses'(RN's) who work or previously worked delegating nursing tasks may be contacting them for assistance. This change may impact RN's who work or who have worked in 24-hour group homes, foster care homes or in support living setting.

What is Changing:

The Oregon State Board of Nursing (OSBN) made changes to Division 47 administrative rules which are rules that govern the delegation of nursing procedures. ODDS in a separate transmittal ([DD-AR-21-097](#)) is communicating to DD Medicaid Certified Agencies and foster care providers of the changes. The changes may require a change in practice and procedures for RNs. OAR 851-047-0030(7)(e) is repealed effective January 1, 2022. This rule allowed the RN to rescind the delegation and change it to a taught task based on the skill of the unlicensed person, the longevity of the relationship with the caregiver and the client's condition. To be compliant with the new rule, the RN must review their records to see if they rescinded a delegation using the specific rule

cited. If RN's have rescinded a delegation under this OAR and the nursing procedure is still needed by the individual, they must **immediately begin** evaluating the situation to determine if the nursing procedure remains needed and whether it can be delegated as defined by Division 47. If so, the RN would need to assess the individual and caregivers and delegate the nursing procedure if the RN determines it is safe to do so by January 1, 2022.

As a result of the changes, CMEs should be prepared to receive questions from RNs for the following:

- To report on an individual that had a delegation rescinded and the individual no longer resides in the home or the home is closed. They may need assistance in trying to locate them.
- The RN may request a referral to another Long-Term Care Community Nurse (LTCCN) because their caseload is at capacity and they cannot add to their caseload.
- They may ask for assistance with a new prior authorization (LTCCN) when necessary to conform with the new procedures.
- Providers in residential or in-home settings may be contacted by an RN who worked previously in the setting to notify them of a prior delegation that was rescinded under the repealed rule. CMEs should help assure the current provider evaluates for any necessary delegation in the current setting or make referrals as necessary if covered by LTCCN.

To assist CME's in identifying potential Nursing procedures that need to be delegated refer to the following list that reflects what nursing procedures that are typically delegated in licensed or In-Home setting. This is not an exhaustive list:

- Subcutaneous injections, usually insulin but any medication that is administered subcutaneously
- Gastrostomy (g-tube) or jejunostomy (j-tube) tube for fluid, food, medications, or maintenance flushing
- Straight urinary catheterization
- Peritoneal dialysis also known as home dialysis
- Manual stimulation (inside the rectum to stimulate a bowel movement-usually ordered for individuals who are paralyzed)
- Trach suctioning and care

Individuals with one or more of these nursing procedures must have an RN evaluate and delegate in accordance with OSBN division 47 rules. If you are notified that an RN has delegated a procedure but has not returned in over 6 months please notify either the LTCCN program at LTC.NSG@dhsosha.state.or.us or if it is another setting not covered by LTCCN contact ODDS.RNsupport@dhsosha.state.or.us Please include the RN's name, individuals information and the name of the home setting if licensed (group home agency, CFH/AFH name, Supported Living Agency and site address).

There are some tasks that RN's have been known to delegate and may have rescinded because the task does not meet the definition of a nursing procedure. If an RN rescinded the following, a delegation is not needed:

- Non-injectable medications-except those that are administered through a g-tube or j-tube
- Wound dressing changes (Note: only the steps for changing a dressing can be taught; wound management cannot be taught or delegated)
- CBG testing when the client only has oral diabetic medication and no insulin
- INR testing
- IM injections for Glucagon for diabetics; and Epi pens for allergies. These are taught and not delegated.

It is the responsibility of the RN to read and follow the new rule changes. If the RN has questions refer them back to the Oregon State Board of Nursing via their practice question mailbox: <https://www.oregon.gov/osbn/Pages/scope-practice.aspx>.

LTCCN RNs:

Long Term Care Community Nurses have been sent communication directly with the same information ([DD-AR-21-097](#)).

Though this will have a greater impact on RNs delivering LTCCN services in In-Home and Adult or Children's Foster Homes, the OSBN requirement applies to all RN's delegating nursing tasks in all DD settings (24 Hour Homes, Children and Adult Foster Homes, Supported Living, and In-Home settings).

DNS/PDN RNs:

This transmittal does not apply to Direct Nursing and Private Duty Nurses as they are prohibited from providing delegation services.

Communication/training:

This transmittal will be discussed during the next Monthly Transmittal Review. Please send questions in advance to ODDS.Questions@dhsoha.state.or.us.

The Monthly Transmittal Reviews are held the second Wednesday of every month at 2 pm using the Zoom platform. Please register in advance for these meetings:

<https://www.zoomgov.com/meeting/register/vJlsc-qvqD8iGURx5OQk8TAdIS6Arg9ZAf4>

After registering, you will receive a confirmation email containing an appointment and information about joining the meeting. American Sign Language (ASL) and live captioning will be provided. To request other accommodations or languages, please send an email to ODDS.Questions@dhsoha.state.or.us at least three business days prior to the meeting.

If you have any questions about this information, contact:

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| Email: ken.j.ralph@dhsoha.state.or.us | |