WEST VIRGINIA CODE: §16B-14-1

§16B-14-1. Definitions.

For the purposes of this article:

"Administration of medication" means assisting a person in the ingestion, application, or inhalation of medications, or the supervision of or the providing of assistance with self-administered medication, both according to the legibly written or printed directions of the health care professional, or as written on the prescription label. "Administration" does not include judgment, evaluation, assessments, or injections of medication.

"Approved medication assistive personnel (AMAP)" means a staff member who meets eligibility requirements, has successfully completed a nationally recognized model curriculum for certified medication assistants, has passed a national medication aide certification examination approved by the National Council of State Boards of Nursing, and is considered competent by the authorized registered professional nurse to administer medications to residents of the nursing home in accordance with this article.

"Authorized practitioner" means a physician actively licensed under the provisions of §30-3-1 *et seq.* or §30-14-1 *et seq.* of this code, an advanced practice registered nurse with prescriptive authority actively licensed under the provisions of §30-7-1 *et seq.* of this code, a physician's assistant actively licensed under the provisions of §30-3E-1 *et seq.* of this code, an optometrist actively licensed under the provisions of §30-8-1 *et seq.* of this code, or a dentist actively licensed under the provisions of §30-4-1 *et seq.* of this code.

"Authorized registered professional nurse" means a person who is actively licensed pursuant to §30-7-1 *et seq.* of this code and meets the requirements to train and supervise approved medication assistive personnel pursuant to this article, and has completed and passed the facility trainer/instructor course developed by the authorizing agency.

"Authorizing agency" means the Office of Health Facility Licensure and Certification.

"Delegation" means transferring to a competent individual, as determined by the authorized registered professional nurse, the authority to administer medications or perform a health maintenance task.

"Director" means the Director of the Office of Health Facility Licensure and Certification, or his or her designee.

"Health care professional" means an allopathic physician, osteopathic physician, registered professional nurse, advanced practice registered nurse, physician's assistant, dentist, optometrist, or respiratory therapist licensed pursuant to the provisions of chapter 30 of this code.

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"Health maintenance tasks" means: Administering glucometer tests; administering gastrostomy tube feedings; administering enemas; and performing tracheostomy and ventilator care for residents.

"Inspector General" means the Inspector General of the Office of the Inspector General as described in §16B-2-1 of this code, or his or her designee.

"Medication" means a drug, as defined in §60A-1-101 of this code, which has been prescribed by a health care professional to be ingested through the mouth, inhaled through the nose or mouth using an inhaler or nebulizer, applied to the outer skin, eye, or ear, or applied through nose drops, or applied through vaginal or rectal suppositories. Medication does not mean a controlled substance listed in Schedule I as provided in §60A-2-204 of this code, Schedule II as provided in §60A-2-206 of this code, buprenorphine, or benzodiazepines.

"Medication reconciliation" means the process of creating an accurate list of all medications a resident is taking, including drug name, dosage, frequency, and route, so correct medications are being provided to the resident.

"Nursing home" means the same as it is defined in §16B-4-1 of this code.

"Office of Health Facility Licensure and Certification" means the West Virginia Office of Health Facility Licensure and Certification within the Office of Inspector General.

"Prescribing practitioner" means an individual who has prescriptive authority as provided in chapter 30 of this code.

"Registered professional nurse" means a person who is actively licensed pursuant to §30-7-1 *et seq.* of this code.

"Resident" means a person living in a nursing home who is in stable condition.

"Self-administration of medication" means the act of a resident, who is independently capable of reading and understanding the labels of medication ordered by an authorized practitioner, opening, and accessing prepackaged drug containers, and accurately identifying and taking the correct dosage of the drugs as ordered by the health care professional at the correct time and under the correct circumstances.

"Self-administration of medication with assistance" means assisting residents who are otherwise able to self-administer their own medications, except their physical disabilities prevent them from completing one or more steps in the process.

"Stable" means the resident’s health condition is predictable and consistent as determined by the registered professional nurse, and the resident’s medications have been reconciled.

"Staff member" means an individual employed by a nursing home but does not include a health care professional acting within his or her scope of practice.

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"Supervision of self-administration of medication" means a personal service which includes reminding residents to take medications, opening medication containers for residents, reading the medication label to residents, observing residents while they take medication, checking the self-administered dosage against the label on the container, and reassuring residents that they have obtained and are taking the dosage as prescribed.

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