

Two State Nursing Boards Recognize Educated and Credentialed Medical Assistants

The Delaware Board of Nursing and the South Dakota Board of Nursing have issued proposed regulations that allow licensed nurses to delegate to formally educated and credentialed medical assistants the administration of medications by specified routes. These proposed rules betoken the increasing recognition by the nursing profession of the value of educated and credentialed medical assistants.

Delaware

The Delaware Board of Nursing gave notice June 1, 2022, of the following addition to its regulations:

8.7.15.1 APRNs [advanced practice registered nurses] are authorized to assign and supervise medication administration to a medical assistant if the medical assistant has successfully completed a medical assistant training program and possesses current national medical assistant certification.

8.7.15.1.1 If a practice is solely operated by APRNs, the APRN must be present in the building when the medical assistant is administering medications and assumes liability for the actions of the medical assistant.

8.7.15.2 When a physician delegates to a medical assistant, and an organizational policy exists to allow the APRN to assign [to] and supervise the medical assistant, the physician retains responsibility and accountability for the actions of the medical assistant and will be notified of unsafe or improper practices.¹

South Dakota

On September 6, 2022, the South Dakota Board of Nursing published the following revisions to its rules:

20:48:04.01:09.01 Delegation of medication administration tasks to a nursing assistant. A licensed nurse may delegate the following medication administration tasks to a nursing assistant if the delegation complies with the general criteria for delegation and supervision set forth in §§ 20:48:04.01:01 and 20:48:04.01:02, respectively:

- (1) Administration of scheduled medications by oral, sublingual, eye, ear, nasal, rectal, topical, transdermal, vaginal, or inhalation route;
- (2) Measuring of a prescribed amount of liquid medication or crushing a

tablet for administration if a licensed nurse, physician, or pharmacist has calculated the dose; and

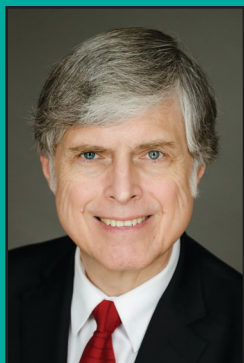
- (3) Administration of schedule II controlled substances listed in SDCL 34-20B-16 and 34-20B-17 which have been prescribed and labeled in a container for a specific client.

If the nursing assistant is administering medications in a hospital setting, a registered nurse must provide direct supervision as defined in § 20:48:01:01.

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20:48:04.01:10. Delegation of additional medication administration tasks to a medical assistant. In addition to the tasks listed in § 20:48:04.01:09.01, a licensed nurse may delegate the following medication administration tasks to a medical assistant, who holds current certification with a national certification body approved by the board [of nursing], in a stable nursing situation as defined in § 20:48:01:01:

- (1) Administration of scheduled medications by intradermal, subcutaneous, or intramuscular route; and
- (2) Calculation of the dose of a pre-



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scribed amount.²

As was the case with the Connecticut and South Carolina legislation enacted earlier in 2022, these revisions to the Delaware and South Dakota regulations differentiate duties delegable to educated and credentialed medical assistants from tasks delegable to all other medical assistants. This trend will likely continue in 2023 and future years because of the demand for knowledgeable and competent medical assistants to perform a greater number of advanced functions. ♦

Questions about this article may be emailed to AAMA CEO and Legal Counsel Donald A. Balasa, JD, MBA, at DBalasa@aama-ntl.org.

References

1. Delaware Board of Nursing. 24 Del.C. §1904(c), 1900 Board of Nursing, (Del 2022). Updated June 1, 2022. Accessed October 24, 2022. <https://regulations.delaware.gov/register/june2022/proposed/25%20DE%20Reg%201112%2006-01-22.htm>
2. South Dakota Board of Nursing. *Article 20:48: Nurses*. Updated October 4, 2022. Accessed October 24, 2022. https://boardsandcommissions.sd.gov/bcuploads/10-04-22_FinalProposedRules.pdf

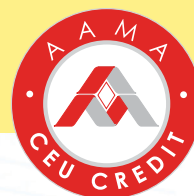
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