

APA-1  
11/96

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control 610 Department or Agency Alabama Board of Nursing  
Rule No. 610-X-7-.06  
Rule Title Alabama Department of Mental Health Residential Community Programs  
         New   X   Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?         Yes        

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?         Yes        

Is there another, less restrictive method of regulation available that could adequately protect the public?         No        

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?         No        

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?         No        

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?         Yes        

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Does the proposed rule have an economic impact?         No        

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer         *M. Kneel*        

Date   3/21/2013  

DATE FILED  
(STAMP)

APA-2  
11/96

**ALABAMA BOARD OF NURSING**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Board of Nursing

**RULE NO. & TITLE:** Rule 610-X-7-.06, Alabama Department of  
Mental Health Community Residential  
Programs

**INTENDED ACTION:** The Alabama Board of Nursing proposes to amend the rules specific to standards of practice in Alabama Department of Mental Health Residential Community Programs.

**SUBSTANCE OF PROPOSED ACTION:** The Alabama Board of Nursing proposes to amend standards of practice for community mental health residential settings. A copy of the proposed amended rule may be found on the Board's web site, [www.abn.alabama.gov](http://www.abn.alabama.gov), under "laws" and then "proposed rule changes."

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Written or oral comments will be received by the Board of Nursing until 4:30 P.M. on Friday, May 3, 2013. Verbal or written comments be directed to N. Genell Lee, Executive Officer, at P.O. Box 303900, Montgomery, AL 36130-3900 or via electronic mail at [Genell.Lee@abn.alabama.gov](mailto:Genell.Lee@abn.alabama.gov) or via telephone at 334-293-5210.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**  
The record closes at 4:30 P.M. on Friday, May 3, 2013.

**CONTACT PERSON AT AGENCY:** N. Genell Lee, Executive Officer.



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Executive Officer

## ALABAMA BOARD OF NURSING

### RULE 610-X-7-.06

#### ALABAMA DEPARTMENT OF MENTAL HEALTH RESIDENTIAL COMMUNITY PROGRAMS

##### Rule 610-X-7-.06 Alabama Department of Mental Health Residential Community Programs

(1) The registered nurse or licensed practical nurse who provides care in residential community mental health programs certified by the Alabama Department of Mental Health is accountable and responsible for the nursing care delivered to patients in those settings.

(2) Registered nurses or licensed practical nurses who provide nursing care in the residential community mental health setting, and the community extensions including day habilitation programs, may delegate specific limited tasks to designated unlicensed assistive personnel.

(3) The registered nurse is responsible and accountable for the completion of a comprehensive assessment and evaluation of patients' nursing care needs. The licensed practical nurse may initiate and document data elements of the comprehensive assessment. The outcome of the comprehensive assessment determines the tasks that may be safely performed by the unlicensed assistive personnel in residential community mental health settings following appropriate training and demonstration of competency.

(4) The specific delegated tasks shall not require the exercise of independent nursing judgment or intervention. Specific tasks that require independent nursing judgment or intervention that shall not be delegated include, but are not limited to:

- (a) Catheterization, clean or sterile.
- (b) Administration of injectable medications, with the exception of injectable medications for anaphylaxis such as the Epi-pen®.
- (c) Calculation of medication dosages other than measuring a prescribed amount of liquid medication or breaking a scored tablet.
- (d) Tracheotomy care, including suctioning.
- (e) Gastric tube insertion, replacement, or feedings.
- (f) Invasive procedures or techniques.
- (g) Sterile procedures.
- (h) Ventilator care.
- (i) Receipt of verbal or telephone orders from a licensed prescriber.

(5) The task of assisting with the delivery of prescribed eye, ear, nose, oral, topical, inhalant, rectal, or vaginal medications may only be delegated to a mental health worker by the registered nurse or licensed practical nurse only when the following conditions are met:

- (a) The registered nurse or licensed practical nurse identifies the appropriate individual(s) to assist in providing prescribed medications.

(b) The mental health worker selected by the registered nurse or licensed practical nurse shall complete six (6) courses of MAC I training via e-learning computer modules with a minimum score of 90% on all testing. Successful completion of MAC I training shall be followed by the successful completion of eight (8) hours of MAC II training conducted by a MAS Trained registered nurse or licensed practical nurse. attend a minimum twenty-four (24) hour course of instruction that includes a curriculum approved by the Board and demonstrated competency to perform the delegated task.

(6) The registered nurse or licensed practical nurse shall provide and document annual evaluation and monitoring of the unlicensed mental health worker periodic and regular evaluation and monitoring of the individual performing the delegated tasks. The registered nurse or licensed practical nurse shall assess and document annually at a minimum:

- (a) Competency.
- (b) Documentation.
- (c) Error reporting.
- (d) Identification of the seven (7) rights of assisting with medication.
- (e) Professionalism.
- (f) Reliability.
- (g) Respect.

(7) ~~The registered nurse or licensed practical nurse shall routinely and periodically conduct quality monitoring of the tasks performed by the mental health worker, including, but not limited to:~~

- ~~(a) Training.~~
- ~~(b) Competency.~~
- ~~(c) Documentation.~~
- ~~(d) Error reporting.~~
- ~~(e) Methods of identification of the right patient, the right task, the right method, and the right quantity at the right time.~~

(87) The registered nurse or licensed practical nurse delegating the task may, at any time, suspend or withdraw the delegation of specific tasks to mental health worker(s).

(98) The Commissioner of the Alabama Department of Mental Health shall submit a report(s) to the Alabama Board of Nursing in a format specified by the Board upon request to include but not limited to:

- (a) Total number of residential community facilities.
- (b) Total number of residents served.
- (c) Total number of registered nurses.
- (d) Total number of licensed practical nurses.
- (e) Total number of Mental Health Workers trained to assist with delivery of medications.
- (f) Total number of mental Health Workers trained during the reporting period to assist with delivery of medications.
- (g) Total number of medication errors in each category.

**Author:** Alabama Board of Nursing.

**Statutory Authority:** Code of Alabama, 1975, § 34-21-2(c)(21).

**History:** Filed November 22, 2005. Effective December 27, 2005. **Amended:** Filed March 12, 2007. Effective April 16, 2007. Filed November 23, 2009. Effective December 28, 2009. Proposed amended rule filed March 21, 2013.