

## \*\*\*Proposed Revisions - September 18, 2023\*\*\*

~~5123:2-6-05~~ 5123-6-05 Qualifications and training of developmental disabilities personnel to activate a vagus nerve stimulator; ~~use an epinephrine auto-injector;~~ and administer topical over-the-counter medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces.

### (A) Purpose

This rule establishes requirements for developmental disabilities personnel to activate a vagus nerve stimulator; use an epinephrine auto-injector; and administer topical over-the-counter medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces.

~~(A)~~ (B) Qualifications for developmental disabilities personnel to activate a vagus nerve stimulator

- (1) Developmental disabilities personnel ~~shall~~ will complete training prior to activating a vagus nerve stimulator and at least annually thereafter that includes:
  - (a) All content in the department-approved curriculum for activation of a vagus nerve stimulator including:
    - (i) Signs and symptoms of seizure;
    - (ii) Seizure first aid;
    - (iii) Correct care and use of the stimulator magnet;
    - (iv) Ensuring availability of the stimulator magnet at all times;
    - (v) Reporting potential side effects and seizure-related problems to a healthcare professional; and
    - (vi) Documentation of seizure activity and stimulator magnet use.
  - (b) Demonstration by the developmental disabilities personnel of the skills and information on the department-approved skills ~~list~~ checklist for activation of a vagus nerve stimulator.
  - (c) Individual-specific training about any individuals for whom the developmental disabilities personnel are going to activate a vagus nerve stimulator, including individual-specific indications for use of the stimulator magnet, seizure first aid, and at a minimum the information on the individual-specific training guidelines for individuals with an implanted vagus nerve stimulator.
- (2) To be eligible to receive training to activate a vagus nerve stimulator, developmental disabilities personnel must be able to read, write, and understand English at a level sufficient to comply with all requirements set forth in administrative rules governing the services provided.

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- (3) Only a licensed nurse or developmental disabilities personnel with health-related activities and prescribed medication administration certification in accordance with rule ~~5123:2-6-06~~ [5123-6-06](#) of the Administrative Code may provide the training for activation of a vagus nerve stimulator and only according to the department-approved curriculum.
- ~~(B)~~ (C) Qualifications for developmental disabilities personnel to use an epinephrine auto-injector for urgent or emergency treatment of allergic reaction and anaphylaxis
- (1) Developmental disabilities personnel ~~shall~~ [will](#) complete training prior to using an epinephrine auto-injector for urgent or emergency treatment of allergic reaction and anaphylaxis and at least annually thereafter that includes:
- (a) All content in the department-approved curriculum for use of an epinephrine auto-injector including:
    - (i) Signs and symptoms of allergic reaction;
    - (ii) Correct care and use of the epinephrine auto-injector;
    - (iii) Ensuring availability of the epinephrine auto-injector at all times;
    - (iv) Medical follow-up after use of an epinephrine auto-injector; and
    - (v) Documentation of major unusual incidents and unusual incidents involving use of an epinephrine auto-injector in accordance with rule ~~5123:2-17-02~~ [5123-17-02](#) of the Administrative Code.
  - (b) Demonstration by the developmental disabilities personnel of the skills and information on the department-approved skills ~~list~~ [checklist](#) for use of an epinephrine auto-injector.
  - (c) Individual-specific training about any individuals for whom the developmental disabilities personnel are going to use an epinephrine auto-injector, including individual-specific indications for known allergens and symptoms associated with personal history of allergic reactions and at a minimum the information on the individual-specific training guidelines for individuals who have been prescribed an epinephrine auto-injector.
- (2) To be eligible to receive training to use an epinephrine auto-injector, developmental disabilities personnel must be able to read, write, and understand English at a level sufficient to comply with all requirements set forth in administrative rules governing the services provided.
- (3) Only a licensed nurse or developmental disabilities personnel with health-related activities and prescribed medication administration certification in accordance with rule ~~5123:2-6-06~~ [5123-6-06](#) of the Administrative Code may provide the training for use of an epinephrine auto-injector and only according to the department-approved curriculum.

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- (4) Developmental disabilities personnel who have documentation of having received training in the use of an epinephrine auto-injector as part of another recognized certification training (such as "American Red Cross" first aid) may use an epinephrine auto-injector according to that certification while that certification is in effect without the training specified in paragraph (B)(1) of this rule.
- (E) (D) Qualifications for developmental disabilities personnel to administer topical over-the-counter medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces
- (1) Developmental disabilities personnel ~~shall~~ will complete training prior to administering topical over-the-counter medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces and at least annually thereafter that includes:
- (a) All content in the department-approved curriculum for administration of topical over-the-counter medication including:
- (i) That topical over-the-counter medication is not to be applied to an open wound;
- (ii) That topical over-the-counter medication is not to be applied for specific treatment of a condition that requires a medical diagnosis including but not limited to, fungal infection;
- (iii) That an individual's known allergies must be confirmed as not present in the topical over-the-counter medication each time before the topical over-the-counter medication is administered;
- (iv) That the manufacturer's label directions for amount and frequency must be followed unless a prescription to administer at an alternate amount or frequency has been provided by a licensed health professional authorized to prescribe drugs;
- (v) That over-the-counter medication for oral consumption requires a prescription from a licensed health professional authorized to prescribe drugs and ~~shall~~ will only be administered by developmental disabilities personnel with health-related activities and prescribed medication administration certification in accordance with rule ~~5123:2-6-06~~ 5123-6-06 of Administrative Code and section 5123.42 of the Revised Code;
- (vi) That topical over-the-counter medication for any purpose other than cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces may be applied only by developmental disabilities personnel with health-related activities and prescribed medication administration certification in accordance with rule ~~5123:2-6-06~~ 5123-6-06 of Administrative Code and section 5123.42 of the Revised Code; and
- (vii) Appropriate documentation of the use of topical over-the-counter

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medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces.

- (b) Demonstration by the developmental disabilities personnel of the skills and information on the department-approved skills ~~list~~ [checklist](#) for administration of topical over-the-counter medication.
  - (c) Individual-specific training about any individuals for whom the developmental disabilities personnel are going to administer topical over-the-counter medication including individual-specific allergies and history of the use of topical over-the-counter medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces and at a minimum the information on the individual-specific training guidelines for individuals for whom developmental disabilities personnel will be administering topical over-the-counter medication without a prescription.
- (2) To be eligible to receive training to administer topical over-the-counter medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces, developmental disabilities personnel must be able to read, write, and understand English at a level sufficient to comply with all requirements set forth in administrative rules governing the services provided.
- (3) Only a licensed nurse or developmental disabilities personnel with health-related activities and prescribed medication administration certification in accordance with rule ~~5123:2-6-06~~ [5123-6-06](#) of the Administrative Code may provide the training for administration of topical over-the-counter medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces.