



ADMINISTRATIVE RULES OF MONTANA

37.106.2885 ADMINISTRATION OF MEDICATIONS: CATEGORY B

- (1) Written, signed practitioner orders shall be documented in all category B resident facility records by a legally authorized person for all medications and treatments which the facility is responsible to administer. Medication or treatment changes shall not be made without a practitioner's order. Order changes obtained by phone must be confirmed by written, signed orders within 21 days.
- (2) All medications administered to a category B resident shall be administered by a licensed health care professional or by an individual delegated the task under the Nurse Practice Act and ARM Title 24, chapter 159. Those category B residents, who are capable of medication self-administration shall be given the opportunity and encouraged to do so.
- (3) Residents with a standing PRN medication order, who cannot determine their own need for the medication by making a request to self-administer the medication or in the case of the cognitively impaired cannot respond to caretaker's suggestions for over-the-counter PRN pain medications shall:
 - (a) have the medication administered by a licensed health care professional after an assessment and the determination of need has been made; and
 - (b) be classified as a category B resident because a nursing decision to determine the resident's need for the medication was required.
- (4) Medication and treatment orders shall be carried out as prescribed. The resident or the person legally authorized to make health care decisions for the resident has the right to consent to, or refuse medications and treatments. The practitioner shall be notified if a resident refuses consent to an order. Subsequent refusals to consent to an order shall be reported as required by the practitioner.
- (5) Only the following individuals may administer medications to residents:
 - (a) a licensed physician, physician's assistant, certified nurse practitioner, advanced practice registered nurse, or a registered nurse;
 - (b) licensed practical nurse working under supervision;
 - (c) an unlicensed individual who is either employed by the facility or is working under third party contract with a resident or resident's legal representative and has been delegated the task under ARM Title 24, chapter 159; and
 - (d) a person related to the resident by blood or marriage or who has full guardianship.

Authorizing statute(s): 50-5-103, 50-5-226, 50-5-227, MCA

Implementing statute(s): 50-5-225, 50-5-226, 50-5-227, MCA

History: NEW, 2002 MAR p. 3638, Eff. 12/27/02; AMD, 2022 MAR p. 1857, Eff. 9/24/22.