DATE: July 19, 2013

MEMORANDUM TO: Nursing Leaders – Colleges, Universities, Associations

FROM: Debra Bournes, RN, PhD
      Provincial Chief Nursing Officer
      Nursing Secretariat

RE: Nursing Students in Long-Term Care (LTC) Homes

The Ministry of Health and Long Term Care (the “ministry”) is pleased to advise you that Regulation 79/10 (regulation) under the Long-Term Care Homes Act, 2007 (LTCHA) has been amended to permit nursing students to administer drugs in long term care (LTC) homes with appropriate education, training and supervision.

I would like to thank everyone who contributed to making this happen. Your insights, expertise, and unwavering commitment to the learning experience of students in LTC were extremely helpful throughout the process.

For years, LTC homes have provided valuable clinical and learning environments for nursing students. This amendment demonstrates the ministry’s commitment to ensuring the continued placement of nursing students in LTC homes and to supporting the development of future nursing professionals.

The amendment came into effect on July 19, 2013, as a result, nursing students can now administer drugs to residents in LTC homes as provided in the regulation. This amendment ensures clear accountability for resident care as well as for resident safety in a manner consistent with existing practice across other health care sectors. A copy of the amendment is provided in Appendix A. Frequently asked questions relating to this initiative are provided in Appendix B.
Questions about this amendment may be directed to Robert Francis, Manager, Implementation Branch at Robert.Francis@ontario.ca or (416) 212-7137.

Thank you again for your support.

Sincerely,

[Signature]

Debra Bournes, RN, PhD
Provincial Chief Nursing Officer

c: Linda Franklin, President & CEO, Colleges Ontario
   Bill Summers, Vice-President, Research & Policy, Colleges Ontario
   Bonnie M. Patterson, President and Chief Executive Officer, Council of Ontario Universities
   Michelle Cyr, Director, Council of Ontario Universities – Health Sciences Office
   Catherine Brown, Assistant Deputy Minister, Health System Accountability and Performance Division
   Suzanne McGurn, Assistant Deputy Minister, Health Human Resources Strategy Division
   Tamara Gilbert, Director, Implementation Branch
   Rachel Kampus, Director, Performance Improvement and Compliance Branch
   Robert Francis, Manager, Implementation Branch
   Meredith MacNaughton, Manager, Nursing Secretariat
Appendix A
New Regulatory Requirement
Regulation 79/10 under the Long-Term Care Homes Act, 2007

131 (4.1) A member of the registered nursing staff may permit a nursing student to administer drugs to residents if,

(a) the licensee has verified with the university or college that offers the nursing educational program in which the nursing student is enrolled that the nursing student has received education or training about the administration of drugs as part of the program;

(b) the nursing student has been trained by a member of the registered nursing staff in the written policies and protocols for the medication management system referred to in subsection 114 (2);

(c) the member of the registered nursing staff who is permitting the administration is satisfied that the nursing student can safely administer drugs; and

(d) the nursing student who administers the drugs does so under the supervision of the member of the registered nursing staff.

Subsection 131 (8) of the Regulation is amended by adding the following definition:

“nursing student” means a person,

(a) who is enrolled in an educational program, the successful completion of which meets the educational requirements for the issuance of a certificate of registration as a registered nurse or registered practical nurse as set out in the regulations made under the Nursing Act, 1991, and

(b) who is working in the long-term care home as part of the clinical placement requirement of the educational program pursuant to an agreement between the licensee and the university or college that offers the educational program.

Commencement
2. This Regulation comes into force on the day it is filed.
Appendix B
Frequently Asked Questions

1. Can nursing students administer drugs in Long Term Care (LTC) homes?

Yes, nursing students on clinical placements in LTC homes can now administer drugs to LTC home residents. Prior to these amendments to Regulation 79/10 (Regulation) under the Long-Term Care Homes Act, 2007 (LTCHA), nursing students could only administer topical drugs. Regulation 79/10 has been amended to permit these nursing students to administer drugs, with appropriate education, training and supervision. This amendment came into effect on July 19, 2013.

2. What are the requirements for LTC homes to allow nursing students to administer drugs to LTC residents?

The requirements governing the administration of drugs by nursing students on clinical placements in LTC homes are provided in subsections 131(4.1) and (8) of the Regulation. The requirements for LTC homes include:

- Entering into an agreement with the university or college offering the nursing educational program that governs the clinical placement of the nursing student in the home (see discussion under question 3);
- Verifying with the university or college that the nursing student has received education or training about the administration of drugs as part of a nursing educational program;
- Ensuring that the nursing student has been trained by a member of the registered nursing staff on the LTC home’s written policies and protocols for the medication management system;
- Ensuring that the member of the registered nursing staff who is permitting the administration is satisfied that the nursing student can safely administer drugs; and
- Ensuring appropriate supervision of the nursing student by a member of the registered nursing staff.

3. Are there any specific requirements for what must be included in the agreement between a LTC home and university or college (governing the clinical placement of nursing students in a LTC home)?

The term “nursing student” is defined in the Regulation as (in part) a person who is working in the LTC home as part of the clinical placement requirements of the nursing educational program pursuant to an agreement between the licensee and the university or college. Therefore, LTC homes must enter into an agreement with the university or college offering the nursing educational program governing the clinical placement of nursing students in the home. While the Regulation does not provide specific requirements for what must be included in this agreement, it is expected that these agreements would set out the details relating to the clinical placement (e.g. term of the agreement, contact persons at the home and university or college, roles and responsibilities of the LTC home and university or college, details relating to clinical instructors/preceptors, insurance coverage etc.) Licensees should negotiate these agreements directly with the university or college.
4. **What type of supervision does the Regulation require for nursing students who administer drugs in LTC homes?**

The Regulation requires a Registered Nurse (RN) or Registered Practical Nurse (RPN) on staff at the home to supervise nursing students when they are administering drugs in a LTC home. The Regulation does not define the term supervision for the purposes of this requirement.

The level of supervision must be determined by the supervising RN/RPN based on their professional judgment and must be appropriate to the specific circumstances. This supervision could range from direct supervision (for example, when nursing students are first learning to administer drugs) to indirect supervision (for example, when nursing students have demonstrated through experience that they can safely administer drugs and are working on the same shift as the supervising RN/RPN). While nurses working in LTC homes are accountable for their actions to the licensee, they are also accountable to the College of Nurses of Ontario (CNO) for practising in accordance with applicable CNO standards of practice and practice guidelines.

5. **Are nursing students and clinical instructors of nursing schools considered staff of a LTC home?**

Subsection 2(1) of the LTCHA provides a definition of staff for the purposes of the LTCHA and the Regulation.

“Staff,” in relation to a long-term care home, means persons who work at the home,

(a) as employees of the licensee,
(b) pursuant to a contract or agreement with the licensee, or
(c) pursuant to a contract or agreement between the licensee and an employment agency or other third party; (“personnel”)

Clinical instructors (employees of the university/college, working in a LTC home overseeing nursing students on clinical placements) and nursing students are considered to be working in the home pursuant to a contract or agreement between the licensee and a third party (university/college). Therefore, these clinical instructors and nursing students are captured under the definition and are considered to be staff of the LTC home.

As a result, requirements provided in the LTCHA and Regulation relating to staff would apply to clinical instructors and nursing students (e.g. training and orientation requirements).