



ADMINISTRATIVE DIRECTIVE

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To:	DDSOO Directors Voluntary Agency Executive Directors
Issuing OPWDD Office:	Division of Service Delivery, State Operations & Statewide Services
Date:	September 18, 2020
Subject:	Performing Nursing Services and Duties Remotely in OPWDD Certified Programs and Settings
Suggested Distribution:	Directors of Nursing/Clinical Services Directors of Quality Assurance
Contact:	OPWDD Director of Nursing and Health Services
Attachments:	

Related ADMs/INFs	Releases Cancelled	Regulatory Authority	MHL & Other Statutory Authority	Records Retention
ADM 2003-01	Performing Nursing Services and Duties Remotely in Residential Settings During the COVID-19 Public Health Emergency, dated April 10, 2020	14 NYCRR 633.10; 633.11; 633.17	MHL §§ 13.07; 33.03	18 NYCRR 504.3(a)

Purpose:

Individuals with Intellectual and Developmental Disabilities living in Certified Residential Settings receive nursing services. To assure that all individuals have access to necessary nursing services, while managing staffing shortages and increasing immediate clinical response needs, nursing services may be provided remotely when clinically appropriate. This ADM offers the option of delivering nursing services remotely, when appropriate, and sets the guidelines for delivery.

Background:**Remote Nursing Services Model**

Remote nursing care is when a Registered Nurse (RN) is physically located at one OPWDD certified program, while providing virtual medical support to other nearby certified programs. The immediate physical location should be rotated to assure physical availability to all covered programs and individuals, while reducing the need for transportation between programs.

RNs must continue to be available to respond to immediate or urgent medical changes and needs. Their proximal availability to individuals is critical in maintaining their health and safety. Remote service delivery only enhances the RNs ability to provide care to more individuals and with more efficiency.

Discussion:**Considerations for the Use of Remote Work**

RNs have a lead role in the oversight of care within OPWDD certified residential programs. Therefore, their presence is a critical support to the team. In exceptional times, such as when clinical staffing levels are compromised, RNs may oversee and/or provide certain nursing tasks remotely. These tasks must be carefully delivered by alternate means or delegated according to discipline-specific and license-based guidelines.

For certified residences, RNs must maintain an on-site presence in all sites. The frequency of these in-person visits must be based on the needs of the individuals in any given home. For example, a home with new or complex delegated nursing tasks should be considered as a home that will continue to maintain an on-site presence.

Routine Duties that Registered RNs (RNs) **May Perform Remotely Using Technology**

The following tasks may be completed remotely, if the RN has determined it is safe to do so based on the individuals' needs:

- Completion of Medication regimen reviews;
- Review of the Medication Administration Records (MAR) for individuals to:
 - ensure that new orders are correctly transcribed, that the MAR corresponds to the medication order(s), and to ensure that the individual-specific medication sheet is complete;
 - ensure that bowel interventions correspond to the bowel monitoring forms and the MAR;
 - confirm that all medications are signed for and address any missing information;
 - review and respond to any instances where an individual refuses their medication(s);
 - review documentation on the use of PRN medication; and to
 - review the controlled drug sheets and counts.
- Review of laboratory, imaging, and diagnostic results, and arrange for any necessary follow-up regarding any abnormal results;
- Review of reports from other providers;
- Review of consultation sheets/reports, and follow up regarding **clinical/medical** appointments;
- Review of communication books, shift change logs and incident logs;
- Scheduling of appointments, rescheduling any cancelled or missed appointments, and determining why the appointment(s) were cancelled/missed;
- Review of staff notes;
- Review of diet orders;
- Review of the following charting records regularly maintained by staff for each individual:
 - Bowel Movement (BM) Chart
 - Weight Chart
 - Vital signs
 - Food Intake and Output
 - Menses
 - Seizures
 - Blood Sugar Monitoring Sheets
- Development of individual-specific Plans of Nursing Services (PONS). Such plans could be directly entered into an Electronic Health or Medical Record or arrangements should be made so that the PONS is placed into the individual's record and made available to staff;
- Review of Staff Training and In-service training delivered, including reviewing the sign-in sheets; and
- Provision of necessary training and instruction to staff.

Was previously "doctors' appointments."

Was previously "Routine duties, but now specific to "nursing assessments."

Nursing Assessments That RNs **May** Perform Remotely Using Technology, **But Which Require Additional Consideration** to Determine Appropriateness

Some **nursing assessments** may be delivered remotely when the RN determines that delivering such service remotely is appropriate and that performing the duty remotely does not negatively impact the health and/or safety of the individual(s). Consideration must be given to the **staffing patterns and medication supplies on-site**. When determining whether an assessment may be done remotely, the RN must consider:

- the staffing patterns at the site when the RN would be dependent on others, such as Direct Support Professionals (DSPs), to carry out the duty (including what staff are physically available on-site, and the skill level of those staff);
- whether there is an adequate supply of medications on site (RNs may, per their discretion work remotely with the on-site house staff to monitor the medication supply and to address any inadequacies);
- the kind of health-issue; and
- the technology available.

Greater emphasis added on assessment of staffing level and ability

These were not present in April version.

Examples of a nursing assessment that **may** be done remotely:

An assessment of pain, new swelling, bruising, treatment of minor injuries such as burns, post-surgical assessment, pressure injuries, review of vital signs or blood glucose or other non-emergent concerns may be completed using a synchronous remote communication process, such as Telemedicine, when the individual can report symptoms through a Telehealth platform and/or when on-site staff can provide data necessary for completing the assessment, such as providing measurements over time or identifying changes in appearance of color.

Routine Duties That RNs **May** Not Perform Remotely

Some RN routine duties may be performed in-person and cannot be done remotely.

These include:

- New or annual training on Delegated Nursing Tasks, to ensure that staff demonstrate the procedures accurately and can correctly and safely carry out the task as prescribed;
- **Assessment and monitoring of significant wounds and injuries;**
- Observation of, and/or education regarding, complex care and procedures carried out by Staff (i.e., Delegated Nursing Tasks). Such complex procedures require that staff are sufficiently trained to carry out the delegated nursing task correctly, in order to ensure the health and safety of the individual. Examples of complex care and procedures include, but are not limited to:
 - CPAP (Continuous Positive Airway Pressure);
 - BiPaP (Bi-level Positive Airway Pressure); and
 - management of surgical drains.

Was previously "wounds and pressure injuries."

Use of Technology to Perform Nursing Duties Remotely:

Various tools may be used to carry out nursing duties remotely including, but not limited to:

- The use of an Electronic Health/Medical Record (EHR/EMR);
- The review of scanned forms, made available to the Registered RN (RN) using secure e-mail or a similar electronic file sharing system; or
- The delivery of services using telephone or audiovisual synchronous (i.e., live) communication platforms, which must be compliant with applicable rules, laws, and regulations (e.g., HIPAA).

Service Documentation:

The duties outlined above may be carried out remotely by RNs working within the OPWDD system, to ensure the ongoing health, safety, and continuity of care of individuals. Upon completion of these activities, RNs must sign and/or initial and date any documentation as they would if the activity were completed on-site. Such documentation serves as evidence of the RN who completed the task and the date the task was completed.

Additionally, RNs must arrange any necessary follow-up or after care and complete any necessary corresponding documentation.

RNs must also clearly document and provide training on any necessary instruction(s) for staff pertaining to the provision of care and services to an individual.

Records Retention:

New York State regulations require Medicaid providers to prepare records demonstrating its right to receive Medicaid payment for a service. These records must be “contemporaneous” and kept for six years from the date the service was provided or when the service was billed, whichever is later. 18 NYCRR 504.3(a).