**Section 116.20 Definitions**

The words and phrases used in this Part shall mean the following, except when a different meaning is clearly intended from the context:

"Administer" or "Administration" − An act in which a single dose of medication is instilled into the body of, applied to the body of, or otherwise given to a person for immediate consumption or use.

"Adverse drug reaction" − A person's response to medication that has an undesirable effect and may be harmful to the health of a person. The reaction may be temporary and resolve itself without lasting effects or it may require interventions to be resolved.

"Agency" − Any organization that operates a residential program for persons with developmental disabilities.

*"Authorized direct care staff"* − *Non-licensed persons who have successfully completed a medication administration training program* specified *by the* Illinois *Department of Human Services and conducted by a* Nurse*-*Trainer*. This authorization*, that can only be conferred by a Nurse-Trainer, *is specific to an individual receiving* services *in a specific agency and does not transfer to another agency* or individual. [20 ILCS 1705/15.4(b)]

"Community day services" – Assists with the acquisition, retention, or improvement in self-help, socialization, and adaptive skills that takes place in a non-residential setting, separate from the participant's private residence or other residential living arrangement. Activities and environments are designed to foster the acquisition of skills, appropriate behavior, greater independence, and personal choice.

"Community residence" − Any residence funded by DHS and provided by a licensed agency, or a residential setting certified or approved by DHS, or an intermediate care facility for 16 or fewer persons with developmental disabilities, licensed by the Illinois Department of Public Health as an Intermediate Care Facility for the Developmentally Disabled, 16 beds or fewer.

"Competency-based" − Training that is tied to an identified set of skills and knowledge and requires documentation of an acceptable level of performance of a task or achievement of an outcome.

"Controlled substance" − Any drug or other substance listed pursuant to a schedule in the Illinois Controlled Substances Act [720 ILCS 570].

"Days" − Unless otherwise indicated, all references to days in this Part refer to working days.

"DD Medical Director" − The physician serving as the Medical Director of the Division of Developmental Disabilities within the Illinois Department of Human Services (DHS-DD), or his or her designee.

"Delegation" − The transfer of responsibility for the performance of selected tasks by the registered nurse (RN) to authorized direct care staff in a selected situation, based upon the RN's plan of care. The RN retains professional accountability for the outcome of the delegated task and all the nursing care of the individual. No redelegation by authorized direct care staff may occur.

"Department" or "DHS" − The Illinois Department of Human Services.

"Distribute or distribution" − The act of controlling access to medications and allowing access by individuals to their medications at prescribed times.

"DPH" − The Illinois Department of Public Health.

"Findings" − An indicated determination by the Department of Children and Family Services under 89 Ill. Adm. Code 300, a substantiated case or verified determination by the Department on Aging under 89 Ill. Adm. Code 270, or a substantiated finding by the Department of Human Services Office of Inspector General under 59 Ill. Adm. Code 50.

"Functional literacy" − An individual's ability to read, write, speak, compute and solve problems at levels of proficiency necessary to function on the job, as assessed by standardized techniques.

"Guardian" − The parent of a child under the age of 18 whose parental rights have not been terminated or a person appointed by a court to be guardian of the individual.

"HFS" − The Illinois Department of Healthcare and Family Services.

"Insulin in an injectable form" − A *subcutaneous injection via an insulin pen pre-filled by the manufacturer.* [20 ILCS 1705/15.4(b)]

"Individual" − Any person with a developmental disability receiving services from a program.

"Intermediate care facility for the developmentally disabled" or "ICF/DD-16". A residence licensed by DPH to provide health or habilitative care on a long-term basis for 16 or fewer individuals with developmental disabilities.

"Licensed person or personnel" − A physician, a registered professional nurse, an advanced practice nurse, a licensed practical nurse, a dentist, a pharmacist, a physician assistant, an optometrist, or a podiatrist licensed in the State of Illinois.

"Master Nurse-Trainer" − An agent of DHS who is a registered professional nurse who has been designated by the DD Medical Director to train/educate Nurse-Trainers.

"Medication" − *Means oral and topical medications, insulin in an injectable form, oxygen, epinephrine auto-injectors, and vaginal and rectal creams and suppositories as* prescribed for the individual by a physician, a physician assistant, an advanced practice nurse, a dentist, a podiatrist, or a certified optometrist, including medication to be taken on a PRN basis and over-the-counter medication. *"Oral" includes inhalants and medications administered through enteral tubes, utilizing aseptic technique. "Topical" includes eye, ear and nasal medications,* patches, as well as creams for male and female genitalia.[20 ILCS 1705/15.4(b)]

"Medication error" − The administration of medication other than as prescribed, resulting in the wrong medication being given; or medication being given at the wrong time, in the wrong dosage, via the wrong route, or by the wrong person; or medication omitted entirely. It is meant to include a lack of documentation of medication administration or any error in that documentation. Medication errors must be documented and are subject to review by DHS or DPH, whichever is applicable. Medication errors that meet the reporting criteria in DHS' rules on Office of Inspector General Investigations of Alleged Abuse or Neglect or Deaths in State-Operated and Community Agency Facilities (59 Ill. Adm. Code 50) shall be reported to the Office of Inspector General.

"Medication administration record" or "MAR" − A written record of medications prescribed for, and administered to, an individual.

"Non-licensed staff training program" − *A standardized* competency-based *medication administration training program approved by DHS.* It is *conducted by a Nurse-Trainer for the purpose of training persons employed or under contract to provide direct care or treatment to individuals receiving services to administer medications and* implement *self-administration of medication training to individuals under the supervision* and monitoring *of* the *Nurse-Trainer. It incorporates adult learning styles, teaching strategies, classroom management, curriculum overview, including ethical-legal aspects, and standardized competency-based evaluations on administration of medications and self-administration of medication training programs*. [20 ILCS 1705/15.4(b)]

"Normalization" − A philosophy under which persons with a developmental disability are provided or restored to patterns and conditions of everyday life that are as close as possible to norms and patterns of the mainstream of society.

"Nurse-Trainer" − A registered professional nurse and/or advanced practice nurse who has successfully completed the DHS Nurse-Trainer Training Program.

*"Nurse-Trainer Training Program"* − *A standardized competency-based medication administration program provided by DHS and conducted by a DHS Master-Nurse Trainer. Nurse-Trainers shall train persons employed or under contract to* administer medication to individuals and *provide self-administration of medication training to individuals under the supervision and monitoring of the Nurse-Trainer. It incorporates adult learning styles, teaching strategies, classroom management and a curriculum overview, including the ethical and legal aspects of supervising those administering medication.* [20 ILCS 1705/15.4(b)]

"Patent or proprietary medications" − Medications and household remedies that are generally considered and accepted as harmless and nonpoisonous when used according to the directions on the label and for which there are written physician orders for their use.

"Physician" − A physician licensed to practice medicine in all of its branches.

"PRN" − Prescribed medications, to be taken as needed, for specific conditions.

"Registered professional nurse" − A person licensed as a registered professional nurse as defined in the Illinois Nurse Practice Act [225 ILCS 65/50-10].

*"Self-administration"* − *An act* in which *an individual administers his or her own medications. To be considered "capable of self-administering medications", individual residents must, at a minimum, be able to identify* prescribed *medication by size, shape, or color and know when it should be taken and in what amount it should be taken each time.* [20 ILCS 1705/15.4(b)]

"Substantial compliance" − Meeting the requirements set forth in this Part, except for variations from the strict and literal performance of those requirements that result in insignificant omissions and defects, given the particular circumstances and the history of those omissions and defects. Omissions that have an adverse impact on an individual's health and safety shall be considered significant and shall be considered substantial noncompliance.

"Supervision" − An active process in which the registered professional nurse monitors, directs, guides, and evaluates the outcomes of an activity or task. The registered professional nurse maintains the accountability for the tasks and responsibilities, as subcomponents of total patient care, delegated to authorized direct care staff.

"Unencumbered license" − As defined in the Nurse Practice Act [225 ILCS 65/50-10], a license in good standing issued by the Illinois Department of Financial and Professional Regulation.

(Source: Amended at 42 Ill. Reg. 20083, effective October 23, 2018)