

2945.5450 DELIVERY, SUPERVISION, AND CONTROL OF MEDICINE.

Subpart 1. **Legend drugs (mandatory).** Facility policy shall prohibit stock supplies of legend drugs.

Subp. 2. **Delivery by unlicensed staff.** The delivery of legend drugs by unlicensed staff must be under the direction of a consulting physician.

Subp. 3. **Policy for storage, delivery, and control of medicine.** A facility administrator, in consultation with a licensed physician or physician trained paramedic, shall develop procedures for the secure storage of medicine. The policy must include at a minimum the following storage requirements:

- A. medicine be stored in a locked area;
- B. the storage area be kept locked at all times;
- C. medicine requiring refrigeration be refrigerated and secured;
- D. prisoners not be permitted in the medicine storage area;
- E. only staff authorized to deliver medicine may have access to keys for the medicine storage area;
- F. prescribed medicine be kept in its original container, bearing the original label; and
- G. poisons and medicine intended for external use be clearly marked and stored separately from medicine intended for internal use.

Subp. 4. **Procedures for delivery of medicine.** Each facility must adopt procedures for the delivery of medicine.

- A. The procedures must include the following (mandatory):
 - (1) Requirements that medicine administered by injection must be administered by a physician, registered nurse, or licensed practical nurse. Diabetics under physician order and direct staff supervision must be permitted to self-administer insulin.
 - (2) Requirements that no prisoner while receiving legend drugs may receive any nonlegend drug without the approval of the attending physician.
 - (3) Procedures for reporting to the physician any adverse reactions to drugs. Any reports shall be included in the prisoner's file.
 - (4) Procedures for reporting the attending physician a prisoner's refusal of prescribed medicine, and an explanation made in the prisoner's record.
 - (5) Procedures for ensuring that no prisoner is deprived of medicine as prescribed because of penalty or staff retaliation.

(6) Procedures that prohibit the delivery of medicine by prisoners.

(7) Procedures requiring that a physician be contacted for instructions before the next prescribed medicine dosage time for all newly admitted prisoners who are either in possession of prescribed medicine or indicate a need for prescribed medicine.

B. Procedures must also include at a minimum the following:

(1) medicine delivered to a prisoner is to be self-administered under staff supervision;

(2) there is to be a means for the positive identification of the recipient of medicine;

(3) procedures and records to assure that medicine is delivered in accordance with physician instructions, and by whom; and

(4) procedures for confirming that medicine delivered for oral ingestion has been ingested.

Subp. 5. **Records of receipt; disposition of drugs.** Records of receipt, the quantity of the drugs, and the disposition of legend drugs must be maintained in sufficient detail to enable an accurate accounting.

Subp. 6. **Medicine given to prisoner upon release.** Prescription medicine belonging to a prisoner must be given to the prisoner or to the appropriate authority upon transfer or release and shall be recorded in the prisoner's file.

Subp. 7. **Destruction of unused prescribed medicine.** Unused prescribed medicine should be destroyed by incineration or by flushing into the sewer system. A notation of the destruction made in the prisoner's record and a statement of what was destroyed, who destroyed it, and how it was destroyed.

Statutory Authority: *MS s 241.021*

History: *17 SR 711*

Published Electronically: *September 27, 2013*