Kirsten J. Gross *Legislative Service Commission*

Sub. H.B. 87

123rd General Assembly
(As Passed by the General Assembly)

Reps. **Bateman, Thomas, Olman**

Sens. **Kearns, Spada**

Effective date: September 24, 1999

ACT SUMMARY

- Prohibits a person from assuming or using certain titles, designations, or abbreviations relating to the practice of industrial hygiene or the practice of occupational safety unless the person possesses the appropriate specified certification.
- Makes the assumption or use of a restricted title or abbreviation without possessing the appropriate specified certification a misdemeanor of the fourth degree.
- Establishes requirements for the regulation of intravenous therapy administered by licensed practical nurses.

CONTENT AND OPERATION

Overview

The act prohibits a person from using certain titles and abbreviations relating to the practice of industrial hygiene and the practice of occupational safety, which the act defines, unless the person possesses the appropriate certification from a national board as specified by the act. It also establishes requirements for the regulation of intravenous therapy administered by licensed practical nurses.

Title protection

The act prohibits any person from assuming or using any of the following titles, designations, or abbreviations without possessing the applicable certification required under the act:

(1) The title or designation "Certified Industrial Hygienist," "Industrial Hygienist In Training," "Certified Safety Professional," or "Associate Safety Professional."

(2) Any of the abbreviations "CIH," "IHIT," "CSP," or "ASP." Respectively, these abbreviations stand for "Certified Industrial Hygienist," "Industrial Hygienist In Training," "Certified Safety Professional," and "Associate Safety Professional." (Sec. 4777.02.)

A person who violates this provision is guilty of a misdemeanor of the fourth degree (sec. 4777.99). A misdemeanor of the fourth degree carries a maximum penalty of 30 days imprisonment, a $250 fine, or both (sec. 2929.21, not in the act).

Exceptions

The act specifies that the following persons are not prohibited from engaging in the practice of industrial hygiene and the practice of occupational safety:

(1) A person working as an apprentice under the supervision of a Certified Industrial Hygienist, Industrial Hygienist In Training, Certified Safety Professional, or Associate Safety Professional.

(2) A person engaging in the supervised practice of industrial hygiene or the practice of occupational safety through a course of study in that practice.

(3) A person who holds a certification, registration, or license under another section of the Revised Code if that person does not violate the title protection provision described above.

(4) A person engaging in activities within the scope of the practice of industrial hygiene or the practice of occupational safety who does not meet the certification requirements specified by the act (see "***Qualifications for titled practice***") if that person does not violate the title protection provision described above. Such a person includes a person who is certified, registered, or licensed by groups, organizations, or certifying bodies other than the American Board of Industrial Hygiene or the Board of Certified Safety Professionals. (Sec. 4777.04.)

Qualifications for titled practice

The practice of industrial hygiene

The act defines "the practice of industrial hygiene" as the anticipation, prevention, recognition, evaluation, elimination, and control of environmental, biological, chemical, physical, and ergonomic factors and stresses arising in or from the workplace that may cause sickness, impaired health and well-being, or significant discomfort among workers or the general public. (Sec. 4777.01(A).)

In order to use the title, "Certified Industrial Hygienist" or the abbreviation "CIH," or the title "Industrial Hygienist In Training" or the abbreviation "IHIT," a person must possess a valid, unexpired certification from the American Board of Industrial Hygiene. (Secs. 4777.01(B) and (C) and 4777.03(A) and (B).)

The practice of occupational safety

The act defines "the practice of occupational safety" as the preservation of human and material resources through the systematic application of education, chemistry, physics, biological, ergonomic, psychological, physiological, and management principles for anticipating, identifying, and evaluating hazardous systems, conditions, and practices in the workplace and developing, implementing, and administering programs to alleviate those hazards. (Sec. 4777.01(D).)

To use the title "Certified Safety Professional" or the abbreviation "CSP," or the title "Associate Safety Professional" or the abbreviation "ASP," a person must possess a valid, unexpired certification from the Board of Certified Safety Professionals. (Secs. 4777.01(E) and (F) and 4777.03(C) and (D).)

Regulation of intravenous therapy by licensed practical nurses

The act permits the Board of Nursing to authorize a licensed practical nurse to administer, to an adult, intravenous therapy prescribed by a licensed physician; dentist; optometrist; podiatrist; or, until January 1, 2010, an advanced practical nurse authorized to prescribe under the Nurses Law if both of the following are true of the licensed practical nurse:

(1) The nurse has a current, valid license issued under the Nurses Law that includes authorization to administer medications;

(2) The nurse has successfully completed a course in intravenous administration approved by the Board of Nursing that includes a minimum of 40 hours of training that includes the curriculum established by rules adopted by the Board in effect on January 1, 1999; training in the anatomy and physiology of the

cardiovascular system, signs and symptoms of local and systemic complications in the administration of fluids and antibiotic additives, and guidelines for management of these complications; and any other training or instruction considered appropriate by the Board. The course must also include a testing component that includes three venipunctures supervised by a physician or registered nurse in a health care setting. (Sec. 4723.48(A).) The regulated administration of intravenous therapy is included in the existing definition of "the practice of nursing as a licensed practical nurse" (sec. 4723.02(F)).

A licensed practical nurse is permitted to perform intravenous therapy under the act only if authorized by the Board of Nursing to perform intravenous therapy as described above and only if performed in accordance with the act's provisions. A licensed practical nurse authorized to perform intravenous therapy is permitted to perform an intravenous therapy procedure only at the direction of a licensed physician, dentist, optometrist, or podiatrist who, except as described below, is present on site and readily available at the facility where the intravenous therapy procedure is performed or at the direction of a registered nurse as required under the act. (Sec. 4723.48(B).)

Except as described below, when a licensed practical nurse who is authorized to perform intravenous therapy performs an intravenous therapy procedure at the direction of a registered nurse, the registered nurse or another registered nurse must be readily available at the site where the intravenous therapy is performed, and, before the licensed practical nurse initiates the intravenous therapy, the registered nurse must personally perform an on-site assessment of the individual who is to receive the intravenous therapy.

When a licensed practical nurse who is authorized to perform intravenous therapy performs an intravenous therapy procedure in a home that is subject to the Nursing Homes and Residential Care Facilities Law or in an intermediate care facility for the mentally retarded, if the intravenous therapy procedure is performed at the direction of a registered nurse or a licensed physician, dentist, optometrist, or podiatrist, a registered nurse must be on the premises of the home or facility or accessible by some form of telecommunication. (Sec. 4723.48(C).)

Prohibited intravenous therapy procedures

The act prohibits a licensed practical nurse from performing any of the following intravenous therapy procedures:

(1) Initiating or maintaining any of the following:

(a) Blood or blood components;

(b) Solutions for total parenteral nutrition;

(c) Any cancer therapeutic medication, including, but not limited to, cancer chemotherapy or an anti-neoplastic agent;

(d) Solutions administered through any central venous line or arterial line or any other line that does not terminate in a peripheral vein, except that a licensed practical nurse may maintain the solutions specified in item (6), below, that are being administered through a central venous line or peripherally inserted central catheter; or

(e) Any investigational or experimental medication.

(2) Initiating intravenous therapy in any vein other than a vein of the hand, forearm, or antecubital fossa;

(3) Discontinuing a central venous, arterial, or any other line that does not terminate in a peripheral vein;

(4) Initiating or discontinuing a peripherally inserted central catheter;

(5) Mixing, preparing, or reconstructing any medication for intravenous therapy, except that a licensed practical nurse authorized to perform intravenous therapy may prepare or reconstitute an antibiotic additive;

(6) Administering medication via the intravenous route including all of the following:

(a) Adding medication to an intravenous solution or to an existing infusion, except that a licensed practical nurse authorized to administer intravenous therapy may initiate an intravenous infusion containing one or more of the following elements: dextrose 5%, (b) normal saline, (c) lactated ringers, (d) sodium chloride .45%, (e) sodium chloride 0.2%, or (f) water;

(b) Initiating or maintaining an intravenous piggyback infusion, except that a licensed practical nurse authorized to administer intravenous therapy may initiate or maintain an intravenous piggyback infusion containing an antibiotic additive; and

(c) Injecting medication via a direct intravenous route, except that a licensed practical nurse authorized to administer intravenous therapy may inject heparin or normal saline to flush an intermittent infusion device or heparin lock, including, but not limited to, bolus or push.

(7) Aspirating any intravenous line to maintain patency;

(8) Changing tubing on any line other than one that terminates in a peripheral vein, including, but not limited to, an arterial line or a central venous line;

(9) Programming or setting any function of a patient controlled infusion pump. (Sec. 4723.48(D).)

The act prohibits a person from employing or directing a licensed practical nurse to perform an intravenous therapy procedure without first verifying that the licensed practical nurse has been approved by the Board of Nursing to perform intravenous therapy (sec. 4723.48(F)). The Board is required to maintain a database containing the names of licensed practical nurses who are authorized to perform intravenous therapy under the act (sec. 4723.48(G)).

Intravenous therapy procedures allowed under the act

Under the act, at the direction of a licensed physician or a registered nurse, a licensed practical nurse authorized to perform intravenous therapy may perform the following for the purpose of performing dialysis:

(1) The routine administration and regulation of saline solution for the purpose of maintaining an established fluid plan;

(2) The administration of a heparin dose intravenously;

(3) The administration of a heparin dose peripherally via a fistula needle;

(4) The loading and activation of a constant infusion pump or the intermittent injection of a dose of medication prescribed by a licensed physician for dialysis. (Sec. 4723.48(E).)

HISTORY

ACTION	DATE	JOURNAL ENTRY	
Introduced	01-28-99	p.	117
Reported, H. Commerce & Labor	02-29-99	p.	230
Passed House (95-0)	03-17-99	p.	311
Reported, S. Insurance, Commerce, & Labor	05-26-99	p.	502
Passed Senate (32-0)	06-02-99	p.	520
House concurred in Senate amendments (96-1)	06-03-99	p.	760

99-HB87.123/jc