



## Long-Term Care Regulation Provider Letter

<b>Number:</b> PL 2023-22
<b>Title:</b> Medication Services for Residents in Assisted Living Facilities
<b>Provider Types:</b> Assisted Living Facilities (ALF)
<b>Date Issued:</b> December 18, 2023

### 1.0 Subject and Purpose

This letter describes the medication services available for residents in assisted living facilities (ALFs) and provides answers to common questions regarding medication services.

### 2.0 Policy Details & Provider Responsibilities

An ALF may provide medication administration or medication supervision/assistance, or a resident can self-administer his or her own medications. A resident's service plan must indicate which of these medication services the resident receives. An ALF must comply with the medication rule in 26 TAC §553.261 Coordination of Care (a) Medications.<sup>1</sup>

#### 2.1 Medication Administration

Residents who choose not to or cannot self-administer a medication must have their medication administered by ALF staff. If staff place medication in a resident's mouth or apply medication to a resident's body, it is considered medication administration. Medication must be administered according to physician's orders only by a person who meets one of the three following criteria:

- a licensed nurse employed with or contracted by the ALF;
- an employee of the ALF who holds current a medication aide permit under 26 TAC Chapter 557 Medication Aides—Program

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<sup>1</sup> [26 TAC §553.261\(a\)](#)

Requirements<sup>2</sup> and acts under the authority of a nurse on duty or on call by the facility; or

- an ALF attendant to whom an RN has delegated medication administration, consistent with Texas Board of Nursing rules at 22 TAC Chapter 225 RN Delegation to Unlicensed Personnel and Tasks Not Requiring Delegation in Independent Living Environments for Clients with Stable and Predictable Conditions.<sup>3</sup>

Please refer to 26 TAC §553.261(a)(1) Administration.<sup>4</sup>

## **2.2 Medication Supervision or Medication Assistance**

If an ALF is not providing medication administration, as described in [2.1](#), the ALF may provide medication assistance or supervision if the resident is unable to or chooses not to self-administer medication without assistance. Staff must observe the resident taking the medication and document in the resident's record any missed dose. Supervision or assistance includes:

- obtaining medications from a pharmacy;
- reminding a resident to take his or her medication at the prescribed time;
- reminding a resident to take his or her medication at the prescribed time;
- pouring a prescribed dose according to the resident's medication profile record;
- handing poured medication to a resident or using a hand over hand assistance method if the resident needs help getting the medication to his or her mouth; and
- returning the medication to the proper locked area.

Please refer to 26 TAC §553.261(a)(2) Supervision.<sup>5</sup>

## **2.3 Self-Administration**

At least monthly, an ALF must counsel a resident who self-administers medications to verify that the resident is still capable of self-administering and understands what medications he or she is taking, as well as that the medication is stored securely. The facility may also

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<sup>2</sup> [26 TAC Chapter 557](#)

<sup>3</sup> [22 TAC Chapter 225](#)

<sup>4</sup> [26 TAC §553.261\(a\)\(1\)](#)

<sup>5</sup> [26 TAC §553.261\(a\)\(2\)](#)

need to provide medication counseling immediately following a change in a resident's condition if the change might affect the resident's ability to self-administer a medication.

If the ALF determines that the resident is no longer capable of self-administering a medication, the ALF must provide medication administration or assistance/supervision, as applicable to the resident's needs, either permanently or until the resident is able to resume self-administration.

## **2.4 Medication Records**

The ALF must maintain, for each resident receiving medication administration or medication supervision services, the following records:

- a medication profile record which lists each current medication's name, prescription number and pharmacy name, strength, dosage, directions for use, route of administration, amount received and date issued by the pharmacy (please refer to 26 TAC §553.261(a)(1)(D)<sup>6</sup> and §553.261(a)(2)(F));<sup>7</sup>
- a written record of any dose of a medication that a resident missed or refused to take (please refer to 26 TAC §553.261(a)(4)(B));<sup>8</sup> and
- any applicable documentation required in 22 TAC Chapter 225.

## **2.5 Pill Reminder Containers**

### **2.5.1 Self-Administration**

A resident who self-administers medications can choose to store the medications in a pill reminder container, regardless of whether the medications are kept in the resident's room or in a central medication storage area.

### **2.5.2 Supervision/Assistance**

An ALF cannot store medications in a pill reminder container for a resident who receives medication supervision/assistance.

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<sup>6</sup> [26 TAC §553.261\(a\)\(1\)\(D\)](#)

<sup>7</sup> [26 TAC §553.261\(a\)\(2\)\(F\)](#)

<sup>8</sup> [26 TAC §553.261\(a\)\(4\)\(B\)](#)

### 2.5.3

ALF staff can administer medications from a pill reminder container in accordance with the Texas Board of Nursing rule at 22 TAC §225.11 Delegation of Administration of Medications From Pill Reminder Container.<sup>9</sup> The pill reminder container may include over-the-counter medications if they are ordered by a physician.

An ALF cannot store controlled substances in or administer them from a pill reminder container. Controlled substances must be dispensed from the original pharmacy containers.

The person who administers medications from a pill reminder container must be either:

- delegated the task by an RN; or
- a medication aide who has personally filled the pill reminder container and follows other requirements listed in 26 TAC §557.105<sup>10</sup> Allowable and Prohibited Practices of a Medication Aide.

## 3.0 RN Delegation Requirements

RN delegation is required for unlicensed personnel providing medication administration. RN delegation is not required for medication supervision or for medication administration by permitted medication aides in accordance with 26 TAC Chapter 557 Medication Aides Program Requirements.<sup>11</sup>

RNs must follow documentation, assessment, and monitoring rules outlined in the Texas Board of Nursing regulations at 22 TAC 225.6.<sup>12</sup> The facility must maintain copies of any documentation related to the delegation of medication administration.

## 4.0 Q&A

**Question:** Is a medication aide and a medication technician the same position?

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<sup>9</sup> [22 TAC §225.11](#)

<sup>10</sup> [26 TAC 557.105](#)

<sup>11</sup> [26 TAC Chapter 557](#)

<sup>12</sup> [22 TAC §225.6](#)

**Answer:** No. "medication aide" is an official title applied to an individual who has successfully completed a medication aide program and received a permit to administer medications to facility residents through HHSC Licensing and Credentialing. "Medication technician" is an industry-derived title for an unlicensed individual assigned the duties of medication administration or supervision. A medication aide may administer medications under his or her permit authority, whereas a medication technician can only administer medications if delegated by an RN.

**Question:** Can an ALF allow a resident to self-administer certain medications while the ALF provides medication administration or supervision/assistance with other medication?

**Answer:** Yes.

**Question:** Who can use a pill reminder container?

**Answer:** Any resident who does not receive medication supervision/assistance, as described in [2.2](#).

**Question:** Who can fill a pill reminder container?

**Answer:** An RN, a person who has demonstrated the ability to complete the task properly and is mutually agreed upon in writing by the delegating RN and the resident or resident's responsible adult, or a medication aide who will be administering the medication.

**Question:** Who can administer medications from the pill reminder container?

**Answer:** The RN or a person delegated by the RN to administer medications to residents from a pill reminder container. The delegation will be resident specific and cannot be a generalized delegation for administering from a pill reminder container. A medication aide may administer medication out of a pill reminder container if the medication aide personally prepared the medication.

**Question:** What are the RN's responsibilities in delegating administration of medications from a resident's pill reminder container?

**Answer:** The facility RN must do the following.

- Ensure that medication doses are placed in a resident's pill reminder container from properly dispensed prescription bottles or, if OTC, from the original packaging and according to the prescribing practitioner's orders.
- Instruct the resident or resident's responsible adult and the delegated staff person about each medication placed in the pill reminder container and its distinguishing characteristics, including proper time, dose, route, and possible adverse effects.
- Provide the resident and the delegated staff member from the pill reminder container with instructions to contact the RN before administering a medication if there are questions concerning the medication or changes in the resident's status related to the medication being given. An such example is if the medications appear to be rearranged or missing.
- Make supervisory visits when there are changes in the resident's status related to the medication being given and determine the frequency of supervisory visits in consultation with the resident or the resident's responsible adult to assure that safe and effective services are being provided.
- Ensure the resident or resident's responsible adult acknowledges in writing that medication administration will be delegated to an unlicensed person.

## 5.0 Resources

- [Rule §553.261 Coordination of Care](#)
- [Chapter 557 Medication Aides—Program Requirements](#)
- [Chapter 225 RN Delegation to Unlicensed Personnel and Tasks Not Requiring Delegation in Independent Living Environments for Clients with Stable and Predictable Conditions](#)

## 6.0 Contact Information

If you have any questions about this letter, please contact the Policy and Rules Section by email at [LTCRPolicy@hhs.texas.gov](mailto:LTCRPolicy@hhs.texas.gov) or call (512) 438-3161.