



Ohio Administrative Code

Rule 4723-26-10 Standards of safe care provided by the community health worker.

Effective: February 1, 2014

(A) The purpose of this chapter is to establish minimal acceptable standards of safe and effective care provided by community health workers holding a certificate issued by the board of nursing pursuant to Chapter 4723. of the Revised Code.

(B) A community health worker shall maintain knowledge of the duties, responsibilities, and accountabilities of a community health worker and shall practice in accordance with the following:

(1) Laws regulating the provision of care by a community health worker as set forth in Chapter 4723. of the Revised Code;

(2) Rules adopted by the board in accordance with Chapter 119. of the Revised Code; and

(3) Any other applicable state or federal laws and rules.

(C) A community health worker shall perform nursing tasks in accordance with sections 4723.81 and 4723.82 of the Revised Code, only as delegated and supervised by a registered nurse holding a current, valid license issued by the board under Chapter 4723. of the Revised Code.

(D) A community health worker shall demonstrate competence and accountability in performing nursing tasks as delegated by a registered nurse, including, but not limited to, the following:

(1) Consistent performance of nursing tasks as delegated by a registered nurse; and

(2) Consulting with the supervising nurse in a timely manner to facilitate referral, consultation, or intervention when a community health worker identifies factors or conditions adversely affecting, or potentially affecting, a patient's health status.

(E) A community health worker shall, in a timely manner:



(1) Perform the nursing tasks as delegated by a registered nurse, unless the community health worker believes or should have reason to believe any of the following:

(a) Performing the nursing task would be harmful or potentially harmful to the patient;

(b) The nursing task is contraindicated by other documented information; or

(c) The nursing task has not been properly authorized.

(2) Clarify the direction received from the delegating nurse if the community health worker believes, or should have reason to believe, any of the following:

(a) Performing the nursing task would be harmful or potentially harmful to the patient;

(b) The nursing task is contraindicated by other documented information;

(c) The nursing task has not been properly authorized; or

(d) The condition of the patient has changed.

(F) When clarifying a nursing task the community health worker shall, in a timely manner:

(1) Consult with the supervising registered nurse to explain the cause of concern;

(2) Advise the supervising registered nurse if the community health worker decides not to perform the nursing task;

(3) Document that the supervising registered nurse was advised of the community health worker's decision not to perform the nursing task as delegated; and

(4) Take any other actions needed to assure the safety of the patient.



(G) A community health worker shall, in a timely manner, document, report to, and consult with, the supervising registered nurse when a patient refuses to follow the health care regimen.

(H) A community health worker shall maintain the confidentiality of patient information obtained in the course of the community health worker's duties and responsibilities. A community health worker shall communicate patient information to other members of the health care team for health care purposes only, shall access patient information only for purposes of patient care or for otherwise fulfilling the worker's assigned job responsibilities, and shall not disseminate patient information for purposes other than patient care or for otherwise fulfilling the worker's assigned job responsibilities through social media, texting, emailing, or any other form of communication.

(I) To the maximum extent feasible, identifiable patient health care information shall not be disclosed by a community health worker unless the patient has consented to the disclosure of identifiable patient health care information. A community health worker shall report individually identifiable patient information without written consent in limited circumstances only, and in accordance with an authorized law, rule, or other recognized legal authority.

(J) A community health worker shall do all of the following to promote patient safety:

(1) Display the applicable title set forth in section 4723.82 of the Revised Code at all times when providing direct patient care, or if interacting with a patient, or health care provider on behalf of the patient, through any form of telecommunication, the community health worker shall identify their certification to the patient or healthcare provider;

(2) In a timely manner, completely and accurately document and report all client data obtained while performing nursing tasks delegated by the supervising registered nurse, and the patient's response to the care;

(3) In a timely manner, completely and accurately document and report to the supervising registered nurse all errors in, or deviations from, the delegated nursing tasks;

(4) Not falsify any patient record or other document prepared in the course of, or in conjunction with, the performance of delegated nursing tasks;



- (5) Implement measures to promote a safe environment for the patient including consulting with a supervising registered nurse any time that the community health worker suspects patient abuse or neglect;
- (6) Establish, delineate, and maintain professional boundaries with each patient;
- (7) Refrain from all behavior that causes or may cause physical, verbal, mental, or emotional abuse or distress to a patient, or in behavior that may be reasonably interpreted to cause physical, verbal, mental, or emotional abuse or distress;
- (8) Not misappropriate a patient's property, engage in behavior to seek or obtain, behavior that may reasonably be interpreted as seeking or obtaining, personal gain at the patient's expense, or engage in behavior that constitutes, or that may reasonably be interpreted as constituting, inappropriate involvement in a patient's personal relationships or financial matters;
- (9) Not engage in sexual conduct or in conduct that may reasonably be interpreted as sexual, or in any verbal behavior that is seductive or sexually demeaning to a patient, or in verbal behavior that may reasonably be interpreted as seductive or sexually demeaning to a patient;
- (10) Treat each patient with courtesy, respect, and with full recognition of dignity and individuality;
and
- (11) Provide each patient with privacy while performing delegated nursing tasks.

For purposes of paragraphs (J)(6) to (J)(9) of this rule, a patient is always considered to be incapable of giving free, full, or informed consent to the actions of a community health worker.

(K) A community health worker shall not make any false, misleading, or deceptive statements, or submit or cause to be submitted any false, misleading or deceptive information or documentation to:

- (1) The board or any representative of the board;



(2) Current employers;

(3) Prospective employers when applying for positions requiring a community health worker certificate;

(4) Facilities in which, or organizations for whom, the community health worker is working a temporary or agency assignment;

(5) Other members of the patient's health care team; or

(6) Law enforcement personnel.

(L) For purposes of paragraphs (J)(6), (J)(7), (J)(8), (J)(9), and (J)(10) of this rule, a certified community health worker shall not use social media, texting, emailing, or other forms of telecommunication with, or about, a patient, for non-health care purposes or for purposes other than fulfilling the worker's assigned job responsibilities.