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Ohio Administrative Code

Rule 4731-23-02 Delegation of medical tasks.

Effective: October 31, 2026

(A) A physician shall not delegate the performance of a medical task unless that physician has complied with all of the requirements of this chapter of the Administrative Code and the delegation otherwise conforms to minimal standards of care of similar physicians under the same or similar circumstances.

(B) Prior to a physician's delegation of the performance of a medical task, that physician shall determine each of the following:

(1) That the task is within that physician's authority;

(2) That the task is indicated for the patient;

(3) The appropriate level of supervision;

(4) That no law prohibits the delegation;

(5) That the person to whom the task will be delegated is competent to perform that task; and,

(6) That the task itself is one that should be appropriately delegated when considering the following factors:

(a) That the task can be performed without requiring the exercise of judgment based on medical knowledge;

(b) That results of the task are reasonably predictable;

(c) That the task can safely be performed according to exact, unchanging directions;

(d) That the task can be performed without a need for complex observations or critical decisions;

(e) That the task can be performed without repeated medical assessments; and,

(f) That the task, if performed improperly, would not present life threatening consequences or the danger of immediate and serious harm to the patient.

(C) When a physician delegates the administration of drugs, that physician shall provide on-site supervision, except in the following situations:

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(1) When the physician has transferred responsibility for the on-site supervision of the unlicensed person who is administering the drug to another physician and that physician has knowingly accepted that responsibility on a patient-by-patient basis; or

(2) In the routine administration of a topical drug, such as a medicated shampoo.

(3) When written policies and procedures have been adopted for the distribution of drugs by an unlicensed person to individuals incarcerated in state correctional institutions as defined in division (A) of section 2967.01 of the Revised Code, other correctional facilities including county and municipal jails, workhouses, minimum security jails, halfway houses, community residential centers, regional jails and multi-county jails, or any other detention facility as defined in division (F) of section 2921.01 of the Revised Code.

(D) This chapter of the Administrative Code shall not apply if the rules contained herein:

(1) Prevent an individual from engaging in an activity performed for a child with a disability as a service needed to meet the educational needs of the child, as identified in the individualized education program developed for the child under Chapter 3323. of the Revised Code;

(2) Conflict with any provision of the Revised Code that specifically authorizes an individual to perform a particular task;

(3) Conflict with any rule adopted pursuant to the Revised Code that is in effect on the effective date of this section, as long as the rule remains in effect, specifically authorizing an individual to perform a particular task;

(4) Prohibit a perfusionist from administering drugs intravenously while practicing as a perfusionist.

(E) Physician delegation is prohibited in all settings specified in section 5123.42 of the Revised Code.