

VOLUME 47, ISSUE 6
ISSUE DATE: **MARCH** 16, 2015
RULE ADOPTIONS

LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF RESPIRATORY CARE

Adopted Amendment: N.J.A.C. 13:44F-3.3

Delegation by a Respiratory Care Practitioner to Unlicensed Persons

Proposed: July 7, 2014, at 46 N.J.R. 1548(a).

Adopted: October 7, 2014, by the State Board of Respiratory Care, Michael G. Brown, Vice-Chairman.

Filed: February 18, 2015, as R.2015 d.040, **without change**.

Authority: N.J.S.A. 45:14E-7 and 45:1-15.1.

Effective Date: March 16, 2015.

Expiration Date: April 4, 2015.

Summary of Public Comment and Agency Response:

The official comment period ended on September 5, 2014. The Board of Respiratory Care (Board) received one comment from Carol Napierski on behalf of the Jersey Association for Medical Equipment Services.

COMMENT: The Jersey Association for Medication Equipment Services (JAMES) expressed support for the Board's notice of proposal delineating the delegation of responsibilities by a licensed respiratory practitioner to an unlicensed assistant.

RESPONSE: The Board thanks JAMES for its support.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendments are governed by N.J.S.A. 45:14E-1 et seq., and are not subject to any Federal standards or requirements.

Full text of the adoption follow:

SUBCHAPTER 3. AUTHORIZED PRACTICE

13:44F-3.3 Delegation by a respiratory care practitioner to unlicensed persons

(a)-(c) (No change.)

(d) Activities that a licensed respiratory care practitioner may delegate to assistants are limited to the following routine tasks:

1. In an in-patient and out-patient setting: disassembling, cleaning, disinfecting, sterilizing, assembling, and delivery of all respiratory equipment;
2. In an out-patient setting only: demonstrating basic respiratory, non-assisted ventilation and oxygen equipment. Demonstrating such equipment shall not include administration of medication, which would constitute direct patient care; and
3. In an in-patient and out-patient setting: maintaining and safe handling of oxygen and specialty gas cylinders and oxygen concentrators, including the performance of oxygen checks and charges.

(e)-(f) (No change.)