

ALABAMA STATE BOARD OF MEDICAL EXAMINERS
Larry D. Dixon, Executive Director

March 23, 1999

Dear :

The Alabama State Board of Medical Examiners has received and reviewed your January 14, 1999, letter concerning unlicensed assistive personnel giving injections. You have asked for an Alabama State Board of Medical Examiners opinion on "physicians delegating medication administration, especially administration by injection, to unlicensed assistive personnel."

In your letter, you state that unlicensed assistive personnel in physicians' offices or clinics may be administering medications, including administering medications by injection. According to your information, the administering of medications by unlicensed personnel is occurring without the involvement of a licensed nurse. A practice consultant at the Alabama Board of Nursing has told you that the Alabama Board of Nursing has no jurisdiction over unlicensed personnel, and, therefore, could not comment on unlicensed assistive personnel giving injections when a licensed nurse is not involved. We understand that you have also requested an opinion from the Board of Nursing on the issue of whether the act of administering a medication by injection is considered the practice of nursing and, therefore, an act which requires a license to practice as a nurse.

After reviewing applicable law, including state and Federal statutes and Alabama State Board of Medical Examiners' Rules, it is clear, concerning physicians and unlicensed personnel, that only the physician has the authority to make the decision to provide medication, by injection or otherwise, to a patient. This decision-making authority should never be delegated to unlicensed assistive personnel.

There exists no Alabama State Board of Medical Examiners' Rule which addresses the act or task of injecting patients with medication by unlicensed assistive personnel. Consequently, if unlicensed assistive personnel in a physician's office or clinic administer medication by injection to a patient pursuant to delegation by the physician and under the direct supervision of the physician, it is the Board's opinion that no violation of any Board of Medical Examiners Rule has occurred; however, the physician remains responsible for the actions of the employee.

This opinion by the Board is limited to the facts and circumstances set forth in your letter dated January 14, 1999, and is issued on reliance of the correctness of those facts.

I hope that the foregoing information has been responsive to your requests.

Sincerely,
Alabama Board of Medical Examiners

/s/ William M. Lightfoot, M. D.

William M. Lightfoot, M. D.
Chairman

WML:cjh