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**CIRCULAR LETTER: DCP 23-04-115**

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**To:** Department of Correction, County Sheriff Departments and Houses of Correction

**From:** David Johnson, Director, Massachusetts Drug Control Program

**Date:** April 21, 2023

**Subject:** Medication Administration in Massachusetts Houses of Correction and Department of Correction facilities in accordance with 105 CMR 700

**NOTE: This Circular Letter replaces former guidance, “Medication Administration in HOCs and DOC Facilities during Public Health Emergency.”**

In accordance with 105 CMR 700.000 *Implementation M.G.L c. 94C*, as amended on February 3, 2023, a nurse with a current license issued by the Massachusetts Board of Registration in Nursing (licensed nurse) may delegate to unlicensed personnel medication administration to individuals housed at a facility operated by the Department of Correction (DOC), or at a House of Correction (HOC), under the following conditions:

- The delegating licensed nurse, and any personnel to whom the nurse will delegate, must be employed at the facility operated by the DOC or HOC where the medications will be administered.
- Medications subject to this guidance may only be administered pursuant to an existing patient specific prescription or medication order by a duly authorized prescriber for routine and immediate administration.
- This guidance does not apply to medications administered in an Opioid Treatment Program (OTP), whether located inside or outside the HOC or DOC.
- Prior to administering medications to an individual housed at a facility operated by the DOC or an HOC, unlicensed personnel must receive competency-based training from a licensed nurse. A record of the unlicensed personnel’s training and competency must be kept on file. A current list of unlicensed personnel deemed competent to administer medication must be provided to the delegating licensed nurse.
- Such training should include but not be limited to the following:

- storage, handling, administration, wasting, disposal, and documentation of the medication(s);
  - the five rights of safe medication administration;
  - the specific needs of individuals to whom they are administering medications;
  - how to access available support from the delegating nurse or other health care professionals; and
  - emergency procedures.
- Prior to delegating medication administration, the delegating licensed nurse shall be responsible for verifying that the unlicensed personnel administering medications has documented training and competency on file.
  - No nurse may be required to participate in a delegation program.

This guidance supersedes [Order of the Commissioner of Public Health \(COVID-19 Public Health Emergency Order No. 2022-08\)](#) .

Please direct any questions or comments to the Drug Control Program at [dcp.dph@mass.gov](mailto:dcp.dph@mass.gov).