

ADVISORY
OPINION

OPINION: Esketamine
ADOPTED: 7/2022
REVISED:
TEMPLATE REVISED: 8/2016
REAFFIRMED:

This Nebraska Board of Nursing advisory opinion is issued in accordance with the Nebraska Nurse Practice Act, Neb. Rev. Stat. 38-2216 (2). As such, this advisory opinion is for informational purposes only and is non-binding. The advisory opinions define acts, which in the opinion of the board, are or are not permitted in the practice of nursing.

Esketamine (Spravato) Direction and Monitoring

The purpose of this advisory opinion is to establish a precedent for recognizing the underlying premise of the recommendations:

- ***Nurses at all levels of licensure are responsible and accountable for adapting direction and monitoring of medication provision by a Medication Aide according to the risk profile and/or unique requirements for the administration of a particular medication***
- ***Nurses are also responsible and accountable for recognizing licensure and other credentials and competencies that qualify them to diagnose and prescribe (APRNs only), and/or administer particular medications***

Requirements for Administration

Risk Evaluation and Mitigation Strategy (REMS) (2020) and Drug Enforcement Administration (DEA) requirements (nd) distributed by the manufacturer for Esketamine (Spravato) can be summarized as follows:

1. Esketamine may only be administered in a REMS certified healthcare setting.
2. Esketamine is administered under the direct observation of a “healthcare provider” in that setting.
3. Patients must be monitored by a healthcare provider for at least 2 hours following administration of the medication.
4. The patient is assessed for clinical stability and readiness to leave the healthcare setting.
5. A “DEA-registered practitioner” determines that it is appropriate for the patient to self-administer the medication while under the direct supervision of the practitioner at the practitioner’s registered location.
6. All activities for administration, record-keeping and security of controlled substances are carried out in compliance with applicable state laws and regulations.

Credentials and Competencies

For the purpose of this advisory opinion, nurse practitioner (NP) scope of practice (Nurse Practitioner Practice Act, 2019, Ne. Rev. Stat. §§ 38-2315) and licensure authority to prescribe and administer controlled substances (Uniform Controlled Substances Act, Ne. Rev. Stat. §§ 28-401) qualifies a NP to function as both a “healthcare provider” and “DEA-registered practitioner.”

In compliance with the Consensus Model for APRN Regulation (2008), NPs are licensed for practice in a role within at least one population foci (pg.6). The NP educated and board certified in Psychiatric-Mental Health is licensed for practice with that population and has education and certification core competencies to diagnose conditions that are a clinical indication for Esketamine and subsequently, prescribe and administer the medication.

Direction and Monitoring

Compliance with REMS and DEA requirements for Esketamine administration do not supercede Nebraska Nursing regulatory requirements for direction and monitoring and direct supervision of a Medication Aide, and appropriate delegation of nursing interventions to an unlicensed person when Esketamine is provided to a patient by a Medication Aide.

1. Medication *provision* is a component of medication *administration*.
2. Persons meeting the requirements of the Nebraska Medication Aide Registry may *provide* (172 NAC 95-002) medications to a patient under *direction and monitoring* by a licensed health care professional whose scope of practice includes medication administration (172 NAC 95-002). Nurse practitioners administer medications and may provide direction and monitoring.
3. Direction and monitoring is the acceptance of responsibility for observing and taking appropriate action regarding any desired effects, side effects, interactions and contraindications associated with the administration of the medication (172 NAC 99-002).
4. The Medication Aide may participate in direction and monitoring by observing patient responses and reporting these responses as directed by the NP (172 NAC 95-006.01.3).
5. The RN/NP is accountable for appropriate *delegation* (172 NAC 99-002.09) of *non-complex nursing interventions* (172 NAC 99-002-14.B) to persons functioning in unlicensed nursing support roles which may include the collection and reporting of vitals signs and other patient information and data.

6. Patient assessment and monitoring of the condition of the patient following administration of Esketamine, and the determination of clinical stability prior to discharge from the facility are *complex nursing interventions* (172 NAC 002.14.A). Complex nursing interventions are not appropriately delegated to a Medication Aide or any other unlicensed person and must be performed by the NP.

References:

172 NAC 95. Administration of Medications for Medication Aides and Medication Staff. https://www.nebraska.gov/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-095.pdf.

172 NAC 99. Provision of Nursing Care. https://www.nebraska.gov/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-099.pdf.

Nurse Practice Act (2019). <https://dhhs.ne.gov/licensure/Documents/Nursing-NursePractitioner.pdf>.

Spravato REMS Program Overview. (2020).

Specific DEA Distribution Requirements for Spravato. (nd).

Uniform Controlled Substances Act. (2021). <https://dhhs.ne.gov/licensure/Documents/Pharmacy.pdf>