November 28, 2016

Q: My questions had to do with verbal orders and the requirement of them getting signed by the practitioner (MD, NP or PA). As you know IDPH has written in the regulations that a ‘telephone order’ must be signed within 10 days of issue. However, nowhere does IDPH reference ‘verbal’ orders and how they are signed for by the practitioner. Is it enough for the nurse to record the verbal order on the current Physician Order Sheet (POS) and sign it? Furthermore, given the POS are signed by the practitioner monthly or every other month (when visiting the resident after they have been in for 90+ days) is that enough? Or, have I missed something in the federal or state regulations that require the verbal orders to be signed by a practitioner within a specific time period.

A: This question was forwarded to IDPH LTC management staff and they provided the following guidance: We are not sure why a facility would take a verbal order as opposed to having the physician just write the order and sign it while they are in the facility. The telephone order requirement is reference below in 300.1620 and would occur if the medication would need to be ordered via phone for the resident. You are correct that the statute requires signature within 10 days for telephone orders. Verbal order is not specified and unsure what the circumstance would be that would require an order to be given and not written by the physician while in the facility. Policy and procedures should be reviewed to ensure consistency with the NHCA and statutory requirements.

(210 ILCS 45/2-104) (from Ch. 111 1/2, par. 4152-104)

Sec. 2-104. (b) All medical treatment and procedures shall be administered as ordered by a physician. All new physician orders shall be reviewed by the facility's director of nursing or charge nurse designee within 24 hours after such orders have been issued to assure facility compliance with such orders. All physician's orders and plans of treatment shall have the authentication of the physician. For the purposes of this subsection (b), "authentication" means an original written signature or an electronic signature system that allows for the verification of a signer's credentials. A stamp signature, with or without initials, is not sufficient.

Section 300.1620 Compliance with Licensed Prescriber's Orders

a) All medications shall be given only upon the written, facsimile or electronic order of a licensed prescriber. The facsimile or electronic order of a licensed prescriber shall be authenticated by the licensed prescriber within 10 calendar days, in accordance with Section 300.1810. All such orders shall have the handwritten signature (or unique identifier) of the licensed prescriber. (Rubber stamp signatures are not acceptable.) These medications shall be administered as ordered by the licensed prescriber and at the designated time.

b) Telephone orders may be taken by a registered nurse, licensed practical nurse or licensed pharmacist. All such orders shall be immediately written on the resident's clinical record or a telephone order form and signed by the nurse or pharmacist taking the order. These orders shall be countersigned by the licensed prescriber within 10 calendar days.