

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB255

Hearing Date: Thursday January 26, 2017
Committee On: Health and Human Services
Introducer: Crawford
One Liner: Adopt the Dialysis Patient Care Technician Registration Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Sue Crawford
Leslie Spry, MD
Traci Irlmeier
Melissa Florell
Elisabeth Hurst
Tim Neal

Representing:

Introducer
Nebraska Medical Association
Nebraska Kidney Coalition
Nebraska Nurses Association
Nebraska Hospital Association
Nebraska Kidney Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 255 creates the Dialysis Patient Care Technician Registration Act with the purpose of the Department of Health and Human Services to create the Dialysis Patient Care Technician Registry in order to maintain an updated record of registered Dialysis Patient Care Technicians in the state.

LB 255 clarifies that dialysis patient care technicians may administer hemodialysis under the authority of a registered nurse licensed pursuant to the Nurse Practice Act.

SECTION BY SECTION:

Section 1: Provides for a named act.

Section 2: Provides for legislative intent and purpose.

Section 3: Provides for definitions: (1) "Dialysis patient care technician", and "facility".

Section 4: Provides a dialysis patient care technician may administer hemodialysis under the authority of a

registered nurse licensed pursuant to the Nurse Practice Act.

Section 5: Provides for minimum requirements for a dialysis patient care technician are as follows: (1) Possession of a high school diploma or a general educational development certificate, (2) training which follows national recommendations for dialysis patient care technicians and is conducted primarily in the work setting, (3) obtaining national certification by successful passage of a certification examination within eighteen months after becoming employed as a dialysis patient care technician, and (4) recertification.

Section 6: Provides for registration requirements: (a) education, (b) employed as a dialysis patient care technician or enrolled in a training course, (c) file an application with the Department, and (d) pay applicable fee. Mandates that to register as a dialysis patient care technician, an individual must: (a) possess a high school diploma or a general educational development certificate, (b) demonstrate that he or she is (i) employed as a dialysis patient care technician or (ii) enrolled in a training course as described in subsection (2) of section 5 of this act, (c) file an application with the department, and (d) pay the applicable fee. (2) An applicant or a dialysis patient care technician shall report to the department, in writing, any conviction for a felony or misdemeanor. A conviction is not a disqualification for placement on the registry unless it relates to the standards identified in section 5 of this act or it reflects on the moral character of the applicant or dialysis patient care technician. An applicant or a dialysis patient care technician may report any pardon or setting aside of a conviction to the department. If a pardon or setting aside has been obtained, the conviction for which it was obtained shall not be maintained on the Dialysis Patient Care Technician Registry. If a person registered as a dialysis patient care technician becomes licensed as a registered nurse or licensed practical nurse, his or her registration as a dialysis patient care technician becomes null and void as of the date of licensure as a registered nurse or a licensed practical nurse.

Section 7: Provides the Department shall list each dialysis patient care technician registration on the Dialysis Patient Care Registry. (1) The department shall list each dialysis patient care technician registration on the Dialysis Patient Care Technician Registry. A listing in the registry shall be valid for the term of the registration and upon renewal unless such listing is refused renewal or is removed. (2) The registry shall contain the following information on each registrant: (a) The individual's full name; (b) any conviction of a felony or misdemeanor reported to the department; (c) a certificate showing completion of a nationally recognized training program; and (d) certificate of completion of a nationally commercially available dialysis patient care technician certification examination. Nothing in the Dialysis Patient Care Technician Registration Act shall be construed to require a dialysis patient care technician to register in the Medication Aide Registry.

Section 8: Amends Section 38-101 to add The Dialysis Patient Care Technician Registration Act to the Uniform Credentialing Act.

Section 9: Amend Section 38-121 to include dialysis patient care technician to list of practices individuals cannot engage without obtaining credentialing under the Uniform Credentialing Act.

Section 10: Amend Section 38-186 to renumber applicable sections.

Section 11: Amend Section 71-448 to allow Division of Public Health of the Department of Health and Human Services to take disciplinary action against a license issued under the Health Care Facility Licensure Act for violations of the Dialysis Patient Care Technician Registration Act.

Section 12: Repeal Sections 38-101, 38-121, 38-186 and 71-448.

Explanation of amendments:

AM91 adds an emergency clause.

Merv Riepe, Chairperson