

2 State of Arkansas

3 94th General Assembly

4 Third Extraordinary Session, 2024

A Bill

JMB/JMB

HOUSE BILL

5
6 By: Representative Bentley

7 Filed with: House Committee on Public Health, Welfare, and Labor

8 pursuant to A.C.A. §10-3-217.

9 For An Act To Be Entitled

10 AN ACT TO CREATE THE DIALYSIS PATIENT CARE TECHNICIAN
11 REGISTRATION ACT; AND FOR OTHER PURPOSES.

12 13 14 Subtitle

15 TO CREATE THE DIALYSIS PATIENT CARE
16 TECHNICIAN REGISTRATION ACT.

17
18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code Title 17, Chapter 87, is amended to add an
22 additional subchapter to read as follows:

23 Subchapter 9 – Dialysis Patient Care Technician Registration Act

24
25 17-87-901. Title.

26 This subchapter shall be known and may be cited as the "Dialysis
27 Patient Care Technician Registration Act".

28
29 17-87-902. Purpose.

30 The purpose of this subchapter is to ensure the health, safety, and
31 welfare of the public by providing for the accurate, cost-effective, and safe
32 utilization of dialysis patient care technicians in the administration of
33 hemodialysis.

34
35 17-87-903. Definitions.

36 As used in this subchapter:

1 (1) "Dialysis patient care technician" means a person who meets
2 the requirements of § 17-87-905; and

3 (2) "Facility" means a healthcare facility that provides
4 hemodialysis services, including without limitation:

5 (A) An ambulatory surgical center;

6 (B) An assisted-living facility;

7 (C) A center or group home for individuals with
8 developmental disabilities;

9 (D) A critical access hospital;

10 (E) A general acute care hospital;

11 (F) A health clinic;

12 (G) A hospital;

13 (H) An intermediate care facility;

14 (I) An intermediate care facility for individuals with
15 intellectual disabilities;

16 (J) A long-term care hospital;

17 (K) A mental health substance abuse treatment center;

18 (L) A nursing facility;

19 (M) A Program of All-Inclusive Care for the Elderly
20 center;

21 (N) A pharmacy;

22 (O) A psychiatric hospital;

23 (P) A public health clinic;

24 (Q) A rehabilitation hospital; and

25 (R) A skilled nursing facility.

26
27 17-87-904. Tasks performed.

28 A dialysis patient care technician may administer hemodialysis and
29 associated medications under the authority of a registered nurse licensed in
30 this state who may delegate tasks based on nursing judgment to a dialysis
31 patient care technician based on the dialysis patient care technician's
32 education, knowledge, training, and skill.

33
34 17-87-905. Registration.

35 (a) To register as a dialysis patient care technician, an individual
36 shall:

1 (1) Possess a high school diploma or a general educational
2 development certificate;

3 (2) Demonstrate that he or she is:

4 (A) Employed as a dialysis patient care technician; or

5 (B) Enrolled in a training course that follows national
6 recommendations for dialysis patient care technicians and is conducted
7 primarily in the work setting;

8 (3)(A) Obtain national certification by successful passage of a
9 certification examination within eighteen (18) months of becoming employed as
10 a dialysis patient care technician.

11 (B)(i) A dialysis patient care technician shall recertify
12 national certification at intervals required by the organization providing
13 the certification examination.

14 (ii) The intervals required under subdivision
15 (a)(3)(B)(i) of this section shall include no fewer than thirty (30) and no
16 more than forty (40) patient contact hours since the previous certification
17 or recertification;

18 (4) Submit an application with the Arkansas State Board of
19 Nursing; and

20 (5) Pay the applicable fee as determined by the board.

21 (b)(1) An applicant for registration as a dialysis patient care
22 technician shall report to the board, in writing, any conviction for a felony
23 or misdemeanor.

24 (2) A conviction is not a disqualification for registration
25 under this section unless the conviction relates to the criminal offenses
26 listed in § 17-3-102.

27 (c)(1) An applicant or a dialysis patient care technician may report
28 any pardon or setting aside of a conviction to the board.

29 (2) If a pardon or setting aside has been obtained, the
30 conviction for which the pardon or setting aside was obtained shall not be
31 maintained on the Dialysis Patient Care Technician Registry created under §
32 17-87-906.

33 (d) If a person registered as a dialysis patient care technician
34 becomes licensed as a registered nurse or licensed practical nurse, his or
35 her registration as a dialysis patient care technician shall terminate as of
36 the date of licensure as a registered nurse or a licensed practical nurse.

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17-87-906. Dialysis Patient Care Technician Registry – Contents of registry.

(a)(1) The Arkansas State Board of Nursing shall list each dialysis patient care technician registrant on a registry to be named the "Dialysis Patient Care Technician Registry".

(2) A listing in the registry is valid for the term of the registration and upon renewal unless the listing is refused renewal or is removed.

(b) The registry shall contain the following information on each person who is a registered dialysis patient care technician:

(1) The individual's full name;

(2) Any conviction of a felony or misdemeanor reported to the board;

(3) A certificate showing completion of a nationally recognized training program; and

(4) A certificate of completion of a nationally commercially available dialysis patient care technician certification examination.

17-87-907. Construction.

This subchapter does not require a dialysis patient care technician to register as a medication assistive person under § 17-87-701 et seq.

Referred by Representative Bentley
Prepared by: JMB/JMB