

## DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF NURSING

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**SUBJECT:** Dialysis Patient Care Technicians, 17 CAR pt. 131

**DESCRIPTION:** The Department of Health, Arkansas State Board of Nursing proposes its Dialysis Patient Care Technicians rules, 17 CAR pt. 131:

### **Throughout Part 131**

#### **Purpose**

To establish new rules to assist the implementation of the newly created Registered Dialysis Patient Care Technician Act pursuant to Act 198 of 2025.

#### **Background**

Act 198 of 2025 created the Registered Dialysis Patient Care Technician Act. It will be codified as part of the Nurse Practice Act, and the registry will be maintained by the Arkansas State Board of Nursing. The rules provide further instruction for the implementation and governance of the Act. These rules were patterned after the board's rules 17 CAR Part 127 for Certified Medication Assistants/Medication Assistant-Certified, who are the regulated healthcare professionals most similar to Dialysis Patient Care Technicians.

#### **Key Points**

Dialysis Patient Care Technicians will be registered individuals; therefore, the terms "register" or "registry" are used here instead of the terms "certificate" or "certify" contained in Part 127.

#### **Discussion**

Definition terms, scope of work, registration requirements, registration process, identification, grounds for discipline, skill requirements, and education requirements match those outlined in Act 198 of 2025.

### **Section 114**

#### **Purpose**

To clarify that the Act and rules do not apply to dialysis patient care technicians working directly with a physician.

#### **Background**

Act 198 of 2025 specifically states that the Act does not apply to dialysis patient care technicians working directly with a physician licensed by the Arkansas State Medical Board. This is because physicians have been authorized to delegate certain tasks to these individuals pursuant to the Medical Practice Act.

#### **Key Points**

This language complies with Act 198 of 2025.

#### **Discussion**

This language complies with Act 198 of 2025.

**PUBLIC COMMENT:** A public hearing was not held on this matter. The public comment period expired March 13, 2026. The agency provided the following public comment summary:

**Commenter Name:** Wendy Funk Schrag, LMSW, ACSW, Fresenius Medical Care, 2/24/26

**COMMENT:** We only have one comment to suggest in the section on endorsement (17 CAR § 131-105. Endorsement). Because D-PCTs may be coming from another state to help during crisis situation which may not be anticipated (inclement weather, unanticipated staff illness, etc.) and are needed to work in Arkansas short-term as soon as possible, we would like to suggest an addition at the end of this section as follows: (f) Qualified D-PCTs may work temporarily in their capacity while waiting for approval of their registration, provided that their completed application with fees has been received by the Arkansas Board of Nursing. **RESPONSE:** Thank you for your public comment on the ADH - Arkansas State Board of Nursing proposed Rules changes. Upon further review of the statute, the Arkansas State Board of Nursing has not been granted the authority to issue temporary registration or allow work in a temporary manner prior to completed registration.

Grant Wise, an attorney with the Bureau of Legislative Research, asked the following questions and was provided with the following responses:

1. 17 CAR § 131-102 – This section seems based on Arkansas Code § 17-87-905(a), which concerns the requirements for an individual to register as a dialysis patient care technician. While the rule appears to be based on the statute, it doesn't appear to track it. Is there a reason the rule seemingly differs? **RESPONSE:** After reviewing the comment, we decided to edit the rule to more closely align with the statute.
2. 17 CAR § 131-103(b) – Arkansas Code § 25-15-105(b)(2)(A) provides that an agency assessing or imposing a fee or penalty shall promulgate the fee or penalty by rule. Arkansas Code § 25-15-105(b)(2)(B) follows and provides that an agency is not required to promulgate a fee or penalty by rule if the specific amount of the fee or penalty is set by statute. The present subsection of the rule seems to be premised on Arkansas Code § 17-87-905(a)(5), which provides that to register as a dialysis patient care technician, an individual shall “[p]ay the applicable fee as determined by the board.” The rule itself provides “[t]he associated nonrefundable fee shall accompany the application,” and does not appear to specify a fee amount that has been determined by the board. Does the board plan to promulgate the fee amount? If so, when? If not, why not? **RESPONSE:** The board is promulgating a fee, and all fees are outlined in 17 CAR § 120-506.
3. 17 CAR § 131-103(c) – This subsection seems premised on Arkansas Code § 17-87-905(b)(1), which provides that “[a]n applicant for registration as a dialysis patient care technician shall report to the board, in writing, any conviction for a felony or misdemeanor.” The rule seems to be silent on how such a report is to be made to the board. Is there a reason? **RESPONSE:** There is a required eligibility question on the application that asks the applicant if they have ever been convicted of a felony or misdemeanor. If the applicant answers ‘Yes’ to the eligibility question, board staff contacts the applicant and provides instructions on how to submit the documentation.

4. 17 CAR 131-104(a) – This provision seems premised on Arkansas Code § 17-87-904. The statute addresses tasks performed under the authority of a registered nurse “licensed in this state.” The rule appears to lack the reference to “licensed in this state.” Is there a reason for this? **RESPONSE:** After consideration of the comment, we have decided to add the language to more closely mirror the language in the statute.
5. 17 CAR § 131-104(b) – This provision seems premised on Arkansas Code § 17-87-904. The statute provides that a dialysis patient care technician may perform certain tasks “under the authority of a registered nurse licensed in this state who may delegate tasks based on nursing judgment to a dialysis patient care technician based on the dialysis patient care technician’s education, knowledge, training, and skill.” The statute provides that a registered nurse may delegate tasks based on “nursing judgment”, while similar language appears to be absent from the rule. Is there a reason? **RESPONSE:** After consideration of the comment, we have decided to add the language to more closely mirror the language in the statute.
6. 17 CAR § 131-104(b) – This provision seems premised on Arkansas Code § 17-87-904. The statute provides that a dialysis patient care technician may perform certain tasks “under the authority of a registered nurse licensed in this state who may delegate tasks based on nursing judgment to a dialysis patient care technician based on the dialysis patient care technician’s education, knowledge, training, and skill.” The statute provides that a registered nurse licensed in this state may delegate tasks based on nursing judgment to a dialysis patient care technician based, in part, “on the dialysis patient care technician’s education.” Similar language appears to be absent from the rule. Is there a reason it differs? **RESPONSE:** After consideration of the comment, we have decided to add the language to more closely mirror the language in the statute.
7. 17 CAR § 131-105 – This section of the rule concerns registration by endorsement, and provides, in part, that “[t]he Arkansas State Board of Nursing may allow registration as a dialysis patient care technician by endorsement to an applicant who has been licensed, certified, or registered as a dialysis patient care technician under the laws of another state or territory, regardless of title,” if certain conditions are met. On what authority does the board rely on to allow registration by endorsement for dialysis patient care technicians? **RESPONSE:** Upon closer review of the statute, the Arkansas State Board of Nursing does not have authority to allow registration of dialysis patient care technicians by endorsement. Therefore, we will strike 17 CAR § 131-105 from the rules.
8. 17 CAR § 131-105(d) – Similarly to Question 3, this subsection appears to be premised on Arkansas Code § 17-87-905(b)(1), which provides that “[a]n applicant for registration as a dialysis patient care technician shall report to the board, in writing, any conviction for a felony or misdemeanor.” The rule seems to be silent on how such a report is to be made to the board. Is there a reason for this? **RESPONSE:** There is a required eligibility question on the application that asks the applicant if they have ever been convicted of a felony or misdemeanor. If the applicant answers ‘Yes’ to the eligibility question, board

staff contacts the applicant and provides instructions on how to submit the documentation.

9. 17 CAR § 131-107(c)(3) – This subdivision provides that an applicant for renewal of a dialysis patient care technician registration shall submit to the board “[p]ayment of the nonrefundable renewal fee.” Arkansas Code § 25-15-105(b)(2)(A) provides that an agency assessing or imposing a fee or penalty shall promulgate the fee or penalty by rule. Arkansas Code § 25-15-105(b)(2)(B) follows and provides that an agency is not required to promulgate a fee or penalty by rule if the specific amount of the fee or penalty is set by statute. A specific fee does not seem to appear in the rule. As in Question 2, does the board plan to promulgate the fee amount? If so, when? If not, why not?

**RESPONSE:** The board is promulgating a fee, and all fees are outlined in 17 CAR § 120-506.

10. 17 CAR § 131-108(c)(2) – This subdivision says that any dialysis patient care technician whose registration is expired shall pay the current renewal fee and the late fee. On what authority does the board rely on to allow the imposition of late fees for the renewal of expired registrations? **RESPONSE:** Upon closer review of the statute, the Arkansas State Board of Nursing does not have the authority to impose a late fee for registered dialysis patient care technicians.

11. 17 CAR § 131-108(c)(2) – This subdivision says that any dialysis patient care technician whose registration is expired shall pay the current renewal fee and the late fee. Arkansas Code § 25-15-105(b)(2)(A) provides that an agency assessing or imposing a fee or penalty shall promulgate the fee or penalty by rule. Arkansas Code § 25-15-105(b)(2)(B) follows and provides that an agency is not required to promulgate a fee or penalty by rule if the specific amount of the fee or penalty is set by statute. The rule does not appear to specify an amount. As in Questions 2 and 9, does the board plan to promulgate the fee amount? If so, when? If not, why not? **RESPONSE:** Upon closer review of the statute, we realized that the statute does not authorize the imposition of a late fee for dialysis patient care technicians, we have removed that language from 17 CAR § 131-108(c)(2).

12. 17 CAR § 131-110(a)(3) – This subdivision provides that a dialysis patient care technician whose name is legally changed shall submit a required fee to the board when requesting a name change. Arkansas Code § 25-15-105(b)(2)(A) provides that an agency assessing or imposing a fee or penalty shall promulgate the fee or penalty by rule. Arkansas Code § 25-15-105(b)(2)(B) follows and provides that an agency is not required to promulgate a fee or penalty by rule if the specific amount of the fee or penalty is set by statute. The rule does not seem to specify an amount. Does the board plan to promulgate the fee amount? If so, when? If not, why not? **RESPONSE:** Upon closer review of 17 CAR § 131-110 and the current practices of the agency, we do not intend to impose a fee for changing demographic information within the registry.

13. 17 CAR § 131-113 – This section appears to be premised on Arkansas Code § 17-87-905(e). Subdivision (e)(1) provides that “[t]he board shall refuse to register or shall revoke the registration of a person who would be disqualified from employment under

§ 20-33-213.” Subdivision (e)(2) provides that “[t]he board may suspend, revoke, or refuse to issue or renew a registration of a dialysis patient care technician” for the enumerated reasons thereunder. The rule says that “[t]he Arkansas State Board of Nursing shall have sole authority to deny, suspend, revoke, or limit any dialysis patient care technician’s registration” for reasons provided by the rule, including disqualification from employment under Arkansas Code § 20-33-213. (Emphasis added.) Is there a reason the rule allows for suspension or limitation of a dialysis patient care technician’s registration for disqualification from employment under Arkansas Code § 20-33-213, while Arkansas Code § 17-87-905(e)(1) provides that the board shall refuse to register or shall revoke registration? **RESPONSE:** Upon further review of the statute, we have decided to edit 17 CAR § 131-113 to more closely mirror the statute.

14. 17 CAR § 131-113 – This section appears to be premised on Arkansas Code § 17-87-905(e). Subdivision (e)(1) provides that “[t]he board shall refuse to register or shall revoke the registration of a person who would be disqualified from employment under § 20-33-213.” Subdivision (e)(2) provides that “[t]he board may suspend, revoke, or refuse to issue or renew a registration of a dialysis patient care technician” for the enumerated reasons thereunder. The rule says that “[t]he Arkansas State Board of Nursing shall have sole authority to deny, suspend, revoke, or limit any dialysis patient care technician’s registration” for reasons provided by the rule, including disqualification from employment under Arkansas Code § 20-33-213. (Emphasis added.) Is there a reason that the rule allows the board to limit a dialysis patient care technician’s registration, where Arkansas Code § 17-87-905(e) appears to list suspension, revocation, and refusal to issue or renew a registration as actions the board may undertake? **RESPONSE:** Upon further review of the statute, we have decided to edit 17 CAR § 131-113(b) to more closely mirror the statute.

15. 17 CAR § 131-113 – This section appears to be premised on Arkansas Code § 17-87-905(e). Subdivision (e)(1) provides that “[t]he board shall refuse to register or shall revoke the registration of a person who would be disqualified from employment under § 20-33-213.” Subdivision (e)(2) provides that “[t]he board may suspend, revoke, or refuse to issue or renew a registration of a dialysis patient care technician” for the enumerated reasons thereunder. The rule says that “[t]he Arkansas State Board of Nursing shall have sole authority to deny, suspend, revoke, or limit any dialysis patient care technician’s registration” for reasons provided by the rule, including disqualification from employment under Arkansas Code § 20-33-213. (Emphasis added.) 17 CAR § 131-113(a)(4) seems premised on Arkansas Code § 17-87-905(e)(2)(C), which provides that the board “may suspend, revoke, or refuse to issue or renew” a registration of a dialysis patient care technician for using a false name or an alias “in his or her practice.” The rule provides that the board shall have the sole authority to “deny, suspend, revoke, or limit” any dialysis patient care technician’s registration for using a false name or an alias “in his or her application.” Is there a reason the rule appears to differ? **RESPONSE:** Upon further review of the statute, we have decided to edit 17 CAR § 131-113(b)(4) to more closely mirror the statute.

16. 17 CAR § 131-113 – This section appears to be premised on Arkansas Code § 17-87-905(e). Subdivision (e)(1) provides that “[t]he board shall refuse to register or shall revoke the registration of a person who would be disqualified from employment under § 20-33-213.” Subdivision (e)(2) provides that “[t]he board may suspend, revoke, or refuse to issue or renew a registration of a dialysis patient care technician” for the enumerated reasons thereunder. The rule says that “[t]he Arkansas State Board of Nursing shall have sole authority to deny, suspend, revoke, or limit any dialysis patient care technician’s registration” for reasons provided by the rule, including disqualification from employment under Arkansas Code § 20-33-213. (Emphasis added.) Arkansas Code § 17-87-905(e)(2)(E) provides the board may suspend, revoke, or refuse to issue or renew a registration of a dialysis patient care technician for failing to comply with any of the requirements for registration. Similar language appears to be absent from the rule. Is there a reason this language was omitted? **RESPONSE:** Upon further review of the statute, we have decided to edit 17 CAR § 131-113(b) to more closely mirror the statute.

The proposed effective date is pending legislative review and approval.

**FINANCIAL IMPACT:** The agency has indicated that the proposed rule has a financial impact. The agency states that the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed rule, specifically applicants for the Dialysis Patient Care Technician Registry who are required to pay an initial application fee and a renewal fee, is \$35.00 for the current fiscal year, and \$40.00 for the next fiscal year. With respect to the total estimated cost by fiscal year to a state, county, or municipal government to implement the rule, the agency states that it is unknown whether additional staff will be necessary to process applications and maintain the registry.

**LEGAL AUTHORIZATION:** The Arkansas State Board shall have the power and responsibility to promulgate whatever rules it deems necessary for the implementation of Arkansas Code Title 17, Chapter 87, concerning nurses. *See* Arkansas Code § 17-87-203(1)(A).

The rule implements Act 198 of 2025, sponsored by Representative Mary Bentley, which created the Dialysis Patient Care Act.

**QUESTIONNAIRE FOR FILING PROPOSED RULES WITH  
THE ARKANSAS LEGISLATIVE COUNCIL**

DEPARTMENT \_\_\_\_\_  
 BOARD/COMMISSION \_\_\_\_\_  
 BOARD/COMMISSION DIRECTOR \_\_\_\_\_  
 CONTACT PERSON \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 PHONE NO. \_\_\_\_\_ EMAIL \_\_\_\_\_  
 NAME OF PRESENTER(S) AT SUBCOMMITTEE MEETING \_\_\_\_\_  
 PRESENTER EMAIL(S) \_\_\_\_\_

**INSTRUCTIONS**

In order to file a proposed rule for legislative review and approval, please submit this Legislative Questionnaire and Financial Impact Statement, and attach (1) a summary of the rule, describing what the rule does, the rule changes being proposed, and the reason for those changes; (2) both a markup and clean copy of the rule; and (3) all documents required by the Questionnaire.

If the rule is being filed for permanent promulgation, please email these items to the attention of Rebecca Miller-Rice, [miller-ricer@blr.arkansas.gov](mailto:miller-ricer@blr.arkansas.gov), for submission to the Administrative Rules Subcommittee.

If the rule is being filed for emergency promulgation, please email these items to the attention of Director Marty Garrity, [garritym@blr.arkansas.gov](mailto:garritym@blr.arkansas.gov), for submission to the Executive Subcommittee.

Please answer each question completely using layman terms.

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1. What is the official title of this rule?  
\_\_\_\_\_
2. What is the subject of the proposed rule? \_\_\_\_\_
3. Is this rule being filed under the emergency provisions of the Arkansas Administrative Procedure Act? Yes      No

*If yes, please attach the statement required by Ark. Code Ann. § 25-15-204(c)(1).*

If yes, will this emergency rule be promulgated under the permanent provisions of the Arkansas Administrative Procedure Act? Yes      No

4. Is this rule being filed for permanent promulgation? Yes No

If yes, was this rule previously reviewed and approved under the emergency provisions of the Arkansas Administrative Procedure Act? Yes No

If yes, what was the effective date of the emergency rule? \_\_\_\_\_

On what date does the emergency rule expire? \_\_\_\_\_

5. Is this rule required to comply with a *federal* statute, rule, or regulation? Yes No

If yes, please provide the federal statute, rule, and/or regulation citation.

6. Is this rule required to comply with a *state* statute or rule? Yes No

If yes, please provide the state statute and/or rule citation.

7. Are two (2) rules being repealed in accord with Executive Order 23-02? Yes No

If yes, please list the rules being repealed.

If no, please explain.

8. Is this a new rule? Yes No

Does this repeal an existing rule? Yes No

If yes, the proposed repeal should be designated by strikethrough. If it is being replaced with a new rule, please attach both the proposed rule to be repealed and the replacement rule.

Is this an amendment to an existing rule? Yes No

If yes, all changes should be indicated by strikethrough and underline. In addition, please be sure to label the markup copy clearly as the markup.

9. What is the state law that grants the agency its rulemaking authority for the proposed rule, outside of the Arkansas Administrative Procedure Act? Please provide the specific Arkansas Code citation(s), including subsection(s).

10. Is the proposed rule the result of any recent legislation by the Arkansas General Assembly?  
Yes      No

If yes, please provide the year of the act(s) and act number(s).

11. What is the reason for this proposed rule? Why is it necessary?

12. Please provide the web address by which the proposed rule can be accessed by the public as provided in Ark. Code Ann. § 25-19-108(b)(1).

13. Will a public hearing be held on this proposed rule? Yes      No

If yes, please complete the following:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

*Please be sure to advise Bureau Staff if this information changes for any reason.*

14. On what date does the public comment period expire for the permanent promulgation of the rule? Please provide the specific date. \_\_\_\_\_

15. What is the proposed effective date for this rule? \_\_\_\_\_

16. Please attach (1) a copy of the notice required under Ark. Code Ann. § 25-15-204(a)(1) and (2) proof of the publication of that notice.

17. Please attach proof of filing the rule with the Secretary of State, as required by Ark. Code Ann. § 25-15-204(e)(1)(A).

18. Please give the names of persons, groups, or organizations that you anticipate will comment on these rules. Please also provide their position (for or against), if known.

19. Is the rule expected to be controversial? Yes      No

If yes, please explain.

**FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY.**

**DEPARTMENT** \_\_\_\_\_  
**BOARD/COMMISSION** \_\_\_\_\_  
**PERSON COMPLETING THIS STATEMENT** \_\_\_\_\_  
**TELEPHONE NO.** \_\_\_\_\_ **EMAIL** \_\_\_\_\_

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

**TITLE OF THIS RULE** \_\_\_\_\_

1. Does this proposed, amended, or repealed rule have a financial impact?  
 Yes                      No
  
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?  
 Yes                      No
  
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes                      No

If no, please explain:

(a) how the additional benefits of the more costly rule justify its additional cost;

(b) the reason for adoption of the more costly rule;

(c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency’s statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:

(a) What is the cost to implement the federal rule or regulation?

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

(b) What is the additional cost of the state rule?

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

**Current Fiscal Year**

\$ \_\_\_\_\_

**Next Fiscal Year**

\$ \_\_\_\_\_

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

**Current Fiscal Year**

\$ \_\_\_\_\_

**Next Fiscal Year**

\$ \_\_\_\_\_

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes      No

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
  - (a) justifies the agency's need for the proposed rule; and
  - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
  - (a) the rule is achieving the statutory objectives;
  - (b) the benefits of the rule continue to justify its costs; and
  - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.



### **Rule Revision 17 CAR Part 131. Dialysis Patient Care Technicians.**

#### **Throughout Part 131**

#### **PURPOSE**

To establish new rules to assist the implementation of the newly created Registered Dialysis Patient Care Technician Act pursuant to Act 198 of 2025.

#### **BACKGROUND**

Act 198 of 2025 created the Registered Dialysis Patient Care Technician Act. It will be codified as part of the Nurse Practice Act and the registry will be maintained by the Arkansas State Board of Nursing. The rules provide further instruction for the implementation and governance of the Act. These rules were patterned after the board's rules 17 CAR Part 127 for Certified Medication Assistants\Medication Assistant-Certified, who are the regulated healthcare professionals most similar to Dialysis Patient Care Technicians.

#### **KEY POINTS**

Dialysis Patient Care Technicians will be registered individuals, therefore the terms "register" or "registry" are used here instead of the terms "certificate" or "certify" contained in Part 127.

#### **DISCUSSION**

Definition terms, scope of work, registration requirements, registration process, identification, grounds for discipline, skill requirements and education requirements match those outlined in Act 198 of 2025.

### **Rule Revision 17 CAR Part 131. Dialysis Patient Care Technicians.**

#### **Subpart 114**

#### **PURPOSE**

To clarify that the Act and rules do not apply to dialysis patient care technicians working directly with a physician.

#### **BACKGROUND**

Act 198 of 2025 specifically states that the Act does not apply to dialysis patient care technicians working directly with a physician licensed by the Arkansas State Medical Board. This is because Physicians have been authorized to delegate certain tasks to these individuals pursuant to the Medical Practice Act.

**KEY POINTS**

This language complies with Act 198 of 2025.

**DISCUSSION**

This language complies with Act 198 of 2025.



# Arkansas Department of Health

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## Arkansas State Board of Nursing

1123 S. University Ave., #800 • Little Rock, AR 72204  
(501) 686-2700 • Fax (501) 686-2714

## MEMORANDUM

TO: Legal Notices  
Arkansas Democrat-Gazette

VIA EMAIL: [legalads@arkansasonline.com](mailto:legalads@arkansasonline.com)

FROM: Christine Lewis, Executive Assistant to the Director

DATE: February 9, 2026

RE: Legal Notice

Please run the following ad for three (3) consecutive days, beginning Wednesday, February 11, 2026.

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### NOTICE OF AMENDED RULES ARKANSAS STATE BOARD OF NURSING

On Wednesday, February 11, 2026, the Arkansas State Board of Nursing (ASBN) will begin the thirty-day public comment period regarding the proposed revisions to the following:

**ASBN Rules:**

- 17 CAR pt. 120 General Provisions
- 17 CAR pt. 121 Licensure: Registered Nurse, Licensed Practical Nurse, and Licensed Psychiatric Technician Nurse
- 17 CAR pt. 122 Registered Nurse Practitioner
- 17 CAR pt. 123 Advanced Practice Registered Nurse
- 17 CAR pt. 124 Delegation
- 17 CAR pt. 126 Rules of Procedure
- 17 CAR pt. 127 Certified Medication Assistant or Medication Assistant-Certified
- 17 CAR pt. 130 Full Independent Practice Credentialing Committee
- 17 CAR pt. 131 Dialysis Patient Care Technicians

Copies of the proposed *Rules* are available at the ASBN office or you may view them at <https://healthy.arkansas.gov/boards-commissions/boards/nursing-arkansas-state-board/laws-rules/>. Written comments should be submitted to the Director, Arkansas State Board of Nursing, 1123 South University Ave.; Suite 800, Little Rock, AR 72204; no later than **Friday, March 13, 2026**.

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Please email me at [Christine.Lewis@arkansas.gov](mailto:Christine.Lewis@arkansas.gov) to confirm that you received this notice and that it will begin running on Wednesday, February 11, 2026, for three (3) consecutive days. Thanks for your kind assistance.



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**For Publication: Notice of Public Comment Period for Amended Rules**

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**From** Christine Lewis <Christine.Lewis@arkansas.gov>

**Date** Mon 2/9/2026 9:55 AM

**To** legalads@arkansasonline.com <legalads@arkansasonline.com>

**Cc** Ashley Davis, PhD., RN <Ashley.Davis@arkansas.gov>; Matt Gilmore <Matt.Gilmore@arkansas.gov>; David Dawson, JD <David.Dawson@arkansas.gov>

1 attachment (236 KB)

Notice Via Dem Gaz.17CARpt120,121,122,123,124,126,127,130,131.pdf;

Please run the attached Notice of Amended Rules as shown in Memorandum for three (3) consecutive days beginning Wednesday, February 11, 2026, and confirm receipt and scheduled publication by emailing [Christine.Lewis@arkansas.gov](mailto:Christine.Lewis@arkansas.gov).

Thank you for your assistance.



**Christine Lewis**

Executive Assistant

Nursing Board | ADH

e: [Christine.Lewis@arkansas.gov](mailto:Christine.Lewis@arkansas.gov)

t: 501-686-2704

**CONFIDENTIALITY NOTICE:**

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# Arkansas Department of Health

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## Arkansas State Board of Nursing

1123 S. University Ave., #800 • Little Rock, AR 72204  
(501) 686-2700 • Fax (501) 686-2714

## MEMORANDUM

TO: Legal Notices  
Arkansas Democrat-Gazette

VIA EMAIL: [legalads@arkansasonline.com](mailto:legalads@arkansasonline.com)

FROM: Christine Lewis, Executive Assistant to the Director

DATE: February 9, 2026

RE: Legal Notice

Please run the following ad for three (3) consecutive days, beginning Wednesday, February 11, 2026.

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### NOTICE OF AMENDED RULES ARKANSAS STATE BOARD OF NURSING

On Wednesday, February 11, 2026, the Arkansas State Board of Nursing (ASBN) will begin the thirty-day public comment period regarding the proposed revisions to the following:

**ASBN Rules:**

- 17 CAR pt. 120 General Provisions
- 17 CAR pt. 121 Licensure: Registered Nurse, Licensed Practical Nurse, and Licensed Psychiatric Technician Nurse
- 17 CAR pt. 122 Registered Nurse Practitioner
- 17 CAR pt. 123 Advanced Practice Registered Nurse
- 17 CAR pt. 124 Delegation
- 17 CAR pt. 126 Rules of Procedure
- 17 CAR pt. 127 Certified Medication Assistant or Medication Assistant-Certified
- 17 CAR pt. 130 Full Independent Practice Credentialing Committee
- 17 CAR pt. 131 Dialysis Patient Care Technicians

Copies of the proposed *Rules* are available at the ASBN office or you may view them at <https://healthy.arkansas.gov/boards-commissions/boards/nursing-arkansas-state-board/laws-rules/>. Written comments should be submitted to the Director, Arkansas State Board of Nursing, 1123 South University Ave.; Suite 800, Little Rock, AR 72204; no later than **Friday, March 13, 2026**.

---

Please email me at [Christine.Lewis@arkansas.gov](mailto:Christine.Lewis@arkansas.gov) to confirm that you received this notice and that it will begin running on Wednesday, February 11, 2026, for three (3) consecutive days. Thanks for your kind assistance.

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State  
Cole Jester

500 Woodlane Street, Suite 026  
Little Rock, Arkansas 72201-1094  
(501) 682-5070  
[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



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Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Contact Phone \_\_\_\_\_

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Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_

Location and Time of Public Meeting \_\_\_\_\_



### **Rule Revision 17 CAR Part 131. Dialysis Patient Care Technicians.**

#### **Throughout Part 131**

#### **PURPOSE**

To establish new rules to assist the implementation of the newly created Registered Dialysis Patient Care Technician Act pursuant to Act 198 of 2025.

#### **BACKGROUND**

Act 198 of 2025 created the Registered Dialysis Patient Care Technician Act. It will be codified as part of the Nurse Practice Act and the registry will be maintained by the Arkansas State Board of Nursing. The rules provide further instruction for the implementation and governance of the Act. These rules were patterned after the board's rules 17 CAR Part 127 for Certified Medication Assistants\Medication Assistant-Certified, who are the regulated healthcare professionals most similar to Dialysis Patient Care Technicians.

#### **KEY POINTS**

Dialysis Patient Care Technicians will be registered individuals, therefore the terms "register" or "registry" are used here instead of the terms "certificate" or "certify" contained in Part 127.

#### **DISCUSSION**

Definition terms, scope of work, registration requirements, registration process, identification, grounds for discipline, skill requirements and education requirements match those outlined in Act 198 of 2025.

### **Rule Revision 17 CAR Part 131. Dialysis Patient Care Technicians.**

#### **Subpart 114**

#### **PURPOSE**

To clarify that the Act and rules do not apply to dialysis patient care technicians working directly with a physician.

#### **BACKGROUND**

Act 198 of 2025 specifically states that the Act does not apply to dialysis patient care technicians working directly with a physician licensed by the Arkansas State Medical Board. This is because Physicians have been authorized to delegate certain tasks to these individuals pursuant to the Medical Practice Act.

**KEY POINTS**

This language complies with Act 198 of 2025.

**DISCUSSION**

This language complies with Act 198 of 2025.

**NO FINANCIAL IMPACT ANTICIPATED**

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**Re: For Publication: Notice of Public Comment Period for Amended Rules**

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**From** Legal Ads <legalads@arkansasonline.com>  
**Date** Tue 2/10/2026 9:26 AM  
**To** Christine Lewis <Christine.Lewis@arkansas.gov>

Scheduled for Wed 2/11, Thurs 2/12, and Fri 2/13.

Thank you.

Gregg Sterne, Legal Advertising  
Arkansas Democrat-Gazette  
legalads@arkansasonline.com

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**From:** "Christine Lewis" <Christine.Lewis@arkansas.gov>  
**To:** "legalads" <legalads@arkansasonline.com>  
**Cc:** "Ashley Davis, PhD., RN" <Ashley.Davis@arkansas.gov>, "Matt Gilmore" <Matt.Gilmore@arkansas.gov>, "David Dawson, JD" <David.Dawson@arkansas.gov>  
**Sent:** Monday, February 9, 2026 9:55:29 AM  
**Subject:** For Publication: Notice of Public Comment Period for Amended Rules

Please run the attached Notice of Amended Rules as shown in Memorandum for three (3) consecutive days beginning Wednesday, February 11, 2026, and confirm receipt and scheduled publication by emailing Christine.Lewis@arkansas.gov.

Thank you for your assistance.



**Christine Lewis**  
Executive Assistant  
Nursing Board | ADH  
e: Christine.Lewis@arkansas.gov  
t: 501-686-2704

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Stricken language would be deleted from and underlined language would be added to the Code of Arkansas Rules.

## Proposed Rulemaking

### Title 17

#### Title 17. Professions, Occupations, and Businesses

#### Chapter XXII. Arkansas State Board of Nursing, Department of Health Part 131. Dialysis Patient Care Technicians

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Promulgated by: Arkansas State Board of Nursing, Department of Health

#### 17 CAR § 131-101. Definitions.

As used in this part:

- (1) "AV fistula" (AVF) means the surgical connection of an artery and vein causing blood to flow between the vessels.
- (2) "AV graft" (AVG) means the connection of a vein and artery that utilizes a hollow synthetic tube.
- (3) "Central venous catheter" (CVC) means the insertion of a soft plastic, y-shaped tube that is placed into a large vein usually in the neck, upper chest or groin.
- (4) "Dialysis patient care technician" (D-PCT) means a person who:
  - \_\_\_\_\_ (A) meets the requirement in 17 CAR §131-102; and
  - \_\_\_\_\_ (B) who works under the supervision of a registered nurse or physician in a dialysis center.
- (5) "Hemodialysis" means a method of dialysis in which blood from a patient's body is circulated through an external device or machine and then returned to the patient's bloodstream for the purpose of removing substances from the patient's body; and
- (6) "Patient contact hours" means contact hours awarded for successfully completing a continuing education activity by an approved provider.

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17 CAR § 131-102. Qualifications for registration.

(a) In order to register as a dialysis patient care technician, an applicant shall submit written evidence, verified by oath, to the Arkansas State Board of Nursing that the applicant:

- (1) Has a high school diploma or a general educational development (GED) certificate;
- (2) Is currently employed as a dialysis patient care technician; and
- (3) Has completed or is enrolled in a training course that follows national recommendations for dialysis patient care technicians which is conducted primarily in a work setting.

(b) To remain on the Dialysis Patient Care Technician Registry the individual shall:

- \_\_\_\_\_ (1) Obtain national certification within eighteen months of becoming employed as a Dialysis Patient Care Technician; and
- \_\_\_\_\_ (2) Maintain current certification.

17 CAR § 131-103. Initial registration.

(a) Applications for the Dialysis Patient Care Technician Registry shall be completed and filed with the Arkansas State Board of Nursing.

(b) The associated nonrefundable fee shall accompany the application.

(c) The applicant shall report any felony and misdemeanor convictions.

17 CAR § 131-104. Scope of work.

\_\_\_\_\_ (a) A dialysis patient care technician may provide delegated patient care to include hemodialysis under the supervision of a registered nurse.

\_\_\_\_\_ (b) Delegated patient care is based on the dialysis patient care technician's documented:

**DRAFT**

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- \_\_\_\_\_ (1) Knowledge;
- \_\_\_\_\_ (2) Training; and
- \_\_\_\_\_ (3) Skill.
- \_\_\_\_\_ (c) Patient care may include:
  - \_\_\_\_\_ (1) Access through a CVC, AVG, or AVF;
  - \_\_\_\_\_ (2) Administration of saline through a CVC, AVG or AVF;
  - \_\_\_\_\_ (3) Administration of heparin through a CVC, AVG or AVF via intravenous push or bolus;
  - \_\_\_\_\_ (4) Removal of catheter dressings; and
  - \_\_\_\_\_ (5) Initiating, providing, and terminating dialysis treatment.

17 CAR § 131-105. Endorsement.

- (a) The Arkansas State Board of Nursing may allow registration as a dialysis patient care technician by endorsement to an applicant who has been licensed, certified, or registered as a dialysis patient care technician under the laws of another state or territory, regardless of title, if:
  - (1) In the opinion of the board, the applicant meets the qualifications of a dialysis patient care technician in this state as required in 17 CAR § 131-102; and
  - (2) The board approves placement on the Dialysis Patient Care Technician Registry.
- (b) Applications shall be completed and filed with the board.
- (c) The associated nonrefundable fee shall accompany the application.
- (d) The applicant shall report all felony and misdemeanor convictions to the board.
- (e) Endorsement verifications will be accepted from the state of original certification only.

17 CAR § 131-107. Renewals.

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- (a) Each person registered under the provisions of "Registered" Dialysis Patient Care Technician Act, Arkansas Code § 17-87-901 et seq., shall renew the registration every two years.
- (b) Sixty (60) days prior to the expiration date, the Arkansas State Board of Nursing shall mail a renewal notification to the last known address of each dialysis patient care technician who is currently on the Dialysis Patient Care Technician Registry.
- (c) An applicant for renewal of a dialysis patient care technician registration shall submit to the Board:
  - (1) A completed renewal form;
  - (2) Proof of current national certification; and
  - (3) Payment of the nonrefundable renewal fee.

17 CAR § 131-108. Expired or lapsed registration.

- (a) The registration is expired if not renewed by the expiration date.
- (b) Failure to receive the renewal notice at the last address of record in the Arkansas State Board of Nursing office shall not relieve the dialysis patient care technician of the responsibility for renewing the registration by the expiration date.
- (c) Any dialysis patient care technician whose registration is expired shall:
  - \_\_\_\_\_ (1) File a renewal application; and
  - \_\_\_\_\_ (2) Pay the current renewal fee and the late fee.
- (d) The registration is lapsed when the national certification upon which the registration was granted expires.
- (e) The national certifying body shall require between thirty (30) and forty (40) contact hours for recertification.

17 CAR § 131-109. Identification.

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- (a) Any person who is registered by the Arkansas State Board of Nursing Shall use the legal title or abbreviation as set forth in the "Registered" Dialysis Patient Care Technician Act, Arkansas Code § 17-87-901 et seq.
- (b) No other person shall assume any other name, title or abbreviation or any words, letters, signs or devices that would cause a reasonable person to believe the user is registered as a dialysis patient care technician.
- (c) Any person registered as a dialysis patient care technician shall wear a name badge with the name and appropriate legal title or abbreviation during times when such person is providing patient care.
- (d) The name badge shall be prominently displayed and clearly legible such that the person receiving care may readily identify the type of personnel providing care.

17 CAR § 131-110. Name, address or phone number change.

- (a) A dialysis patient care technician whose name is legally changed shall submit to the board:
  - (1) A name change request;
  - (2) A copy of the marriage license or court action; and
  - (3) The required fee.
- (b) The dialysis patient care technician shall immediately notify the board in writing of a change in:
  - (1) Mailing address;
  - (2) Residential address;
  - (3) Email address; or
  - (4) Telephone number.

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17 CAR § 131-111. Registry.

The Dialysis Patient Care Technician Registry shall list the following information on each dialysis patient care technician:

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**DRAFT**

- (1) Full name;
- (2) Registry number with issue and expiration date;
- (3) Disciplinary actions;
- (4) Certificate showing completion of a nationally recognized training program;
- (5) Certificate of certifying examination; and
- (6) All felony or misdemeanor convictions reported to the Arkansas State Board of Nursing.

17 CAR § 131-112. Registration of uniformed service members, veterans, and spouses.

(a) Automatic registration.

The Arkansas State Board of Nursing will give preference in the order of processing to applications for placement on the registry filed by the following individuals;

- (1) A uniformed service member stationed in the State of Arkansas;
- (2) A uniformed service veteran who resided in or establishes residency in the State of Arkansas; or
- (3) The spouse of a:
  - (A) Person under subdivision (a)(1) or (a)(2) of this section;
  - (B) A uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to Arkansas; or
  - (c) A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in Arkansas.

(b) Extension of registration expiration date.

- (1) Upon written request and submission of appropriate documentation, a deployed uniformed service member or spouse shall be allowed an extension of the expiration date without penalty or assessment of a late fee for renewing the registration.

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(2) The extension shall be effective for one hundred eighty (180) days after the service member or spouse returns from active deployment.

(c) Consideration of military training and experience. When considering an application for registration, the board shall:

(1) Consider whether or not the applicant's military education, training, national certification, service-issued credential, and experience in the practice as a dialysis patient care technician is substantially similar to the experience or education required for registration; and

(2) Accept the applicant's military education, training, national certification, service-issued credential, and experience in the practice as a dialysis patient care technician in lieu of experience or education required for registration, if the board determines that the military training and experience is a satisfactory substitute for the experience or education required for registration.

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17 CAR § 131-113. Grounds for discipline.

(a) The Arkansas State Board of Nursing shall have sole authority to deny, suspend, revoke, or limit any dialysis patient care technician's registration issued by the board or applied for in accordance with the provisions of this part, or to otherwise discipline a dialysis patient care technician upon proof that the person:

(1) Is disqualified from employment under Arkansas Code § 20-33-213;

(2) Secured registration through fraud or deceit;

(3) Is guilty of unprofessional conduct, unethical conduct, gross ignorance, or inefficiency in the conduct of his or her practice as outlined in 17 CAR § 126-102;

(4) Used a false name or an alias in his or her application; or

(5) Violated any provisions of the "Registered" Dialysis Patient Care Technician Act, Arkansas Code § 17-87-901 et seq.

17 CAR § 131-114. Exceptions.

This part does not apply to a dialysis patient care technician who is working directly with a physician licensed by the Arkansas State Medical Board.

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