

2021

STATE OF NEBRASKA

DIALYSIS PATIENT CARE TECHNICIAN REGISTRATON ACT

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES

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Division of Public Health
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DIALYSIS PATIENT CARE TECHNICIAN REGISTRATON ACT

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STATUTES PERTAINING TO THE DIALYSIS PATIENT CARE TECHNICIAN REGISTRATON ACT

38-3701. Act, how cited.

Sections 38-3701 to 38-3707 shall be known and may be cited as the Dialysis Patient Care Technician Registration Act.

Source: Laws 2017, LB255, § 1.

38-3702. Purpose of act.

The purpose of the Dialysis Patient Care Technician Registration Act is to ensure the health, safety, and welfare of the public by providing for the accurate, cost-effective, efficient, and safe utilization of dialysis patient care technicians in the administration of hemodialysis. The act applies to dialysis facilities in which hemodialysis is provided.

Source: Laws 2017, LB255, § 2.

38-3703. Terms, defined.

For purposes of the Dialysis Patient Care Technician Registration Act:

- (1) Dialysis patient care technician means a person who meets the requirements of section 38-3705; and
- (2) Facility means a health care facility as defined in section 71-413 providing hemodialysis services.

Source: Laws 2017, LB255, § 3.

38-3704. Dialysis patient care technician; powers.

A dialysis patient care technician may administer hemodialysis under the authority of a registered nurse licensed pursuant to the Nurse Practice Act who may delegate tasks based on nursing judgment to a dialysis patient care technician based on the technician's education, knowledge, training, and skill.

Source: Laws 2017, LB255, § 4.

Cross References

- **Nurse Practice Act**, see section 38-2201.

38-3705. Dialysis patient care technician; qualifications.

The 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 at intervals required by the organization providing the certification examination including no fewer than thirty and no more than forty patient contact hours since the previous certification or recertification.

Source: Laws 2017, LB255, § 5.

38-3706. Dialysis patient care technician; registration; application; fee; duties; licensure as nurse; effect.

- (1) To register as a dialysis patient care technician, an individual shall (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 subdivision (2) of section 38-3705, (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 38-3705 or it reflects on the moral character of the applicant or dialysis patient care technician.
- (3) 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.
- (4) 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.

Source: Laws 2017, LB255, § 6.

38-3707. Dialysis Patient Care Technician Registry; contents.

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

(3) 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.

Source: Laws 2017, LB255, § 7.

Cross References

- **Medication Aide Registry**, see section 71-6727.