

The Mississippi Board of Nursing voted on January 5, 2007, to File Notice with the Office of Secretary of State with Intent to Adopt the following proposed addition to the Mississippi Board of Nursing Rules and Regulations:

CHAPTER VI: CERTIFICATON REQUIREMENTS FOR HEMODIALYSIS TECHNICIANS

1. Applicants

1.1 Certification by Examination

a. Applicants for certification as a hemodialysis technician (CHT) by examination shall submit the following to the board:

- (1) an attested application on a board form and nonrefundable fee;
- (2) a diploma from an approved high school or the equivalent thereof, as determined by the appropriate education agency;
- (3) written official evidence of successful completion of a hemodialysis technician program approved by the board;
- (4) evidence of competence in English related to healthcare/nursing provided the first language is not English; and
- (5) any other official records required by the board.

Incomplete applications for certification become null and void one (1) year after date of last noted activity. Applications containing fraudulent or misrepresented information could be the basis for denial of certification.

b. The passing score for the examination shall be a standard score as recommended by the National Certifying entity and adopted by the board.

c. An applicant for reexamination must submit the application and required nonrefundable fees by the deadline date established by the board.

d. Results of the examination may be reported to the applicants; but, shall not be reported over the phone. The board may release examination results to any individual or agency upon written authorization from the candidate and payment of required nonrefundable fee.

e. The board reserves the right to determine who is duly qualified for the examination and certification.

1.2 Certification by Endorsement

a. Applicants who have practiced as uncertified hemodialysis technicians in other states or who have been certified in another state may apply for certification in Mississippi if they provide:

- (1) Official evidence directly from the training program of the successful completion of an approved hemodialysis technician training program in another state;
- (2) Official evidence of current certification by the National Certification entity approved by the board;
- (3) Official evidence of current certification in another state or territory, if the state from which the applicant is coming regulates and certifies hemodialysis technicians; and
- (4) Required nonrefundable licensure fee and completed attested application for endorsement.

Incomplete applications for certification become null and void one (1) year after date of last noted activity. Applications containing fraudulent or misrepresented information could be the basis for denial of certification.

b. The board reserves the right to determine who is duly qualified for certification by endorsement.

1.3 Renewal

a. CHTs shall complete the renewal process including submission of an application for renewal by July 31 of every odd number year.

b. If the certificate is not renewed by July 31 of the odd number year, the CHT does not hold a valid certificate and shall not function as a CHT until the lapsed certificate has been reinstated.

- c. Attested renewal applications, nonrefundable renewal fee and proof of certification by the board approved National Certifying entity shall be submitted to the board prior to July 31 of every odd number year.
- d. The board reserves the right to determine who is duly qualified for renewal of certification.

1.4 Reinstatement

- a. Applicants for reinstatement of certifications which have lapsed must provide:
 - (1) An attested reinstatement application, nonrefundable reinstatement fee and proof of certification by the board approved National Certifying entity to the board.
Incomplete applications for certification become null and void one (1) year after date of last noted activity. Applications containing fraudulent or misrepresented information could be the basis for denial of certification.
 - (2) If the applicant has not worked as a CHT within the year preceding application, successful completion of a board approved educational program may be required.
 - (3) The board reserves the right to determine who is duly qualified for reinstatement of certification.

2. Standards for CHT

2.1 Authorized functions of the CHT under the direct supervision of a Registered Nurse

The CHT under the direct supervision of a Registered Nurse may:

- a. Place the fistula needles in the peripheral fistula or graft in preparation for initiation of hemodialysis (perform arteriovenous punctures for dialysis access);
- b. Inject intradermal lidocaine in preparation for dialysis access;
- c. Administer heparin intravenously, including:
 - (1) Drawing up heparin(1:1,000 strength) for initial and continued administration,
 - (2) Administration of the heparin peripherally via the fistula needle, and
 - (3) Loading and activating the constant infusion pump or intermittently injecting the prescribed dose;
- d. Administer saline intravenously, including:
 - (1) Administration of a saline bolus during a hypotensive episode (this must be in accordance with an agency protocol and with Registered Nurse supervision and consultation), and
 - (2) Administration and regulation of a normal saline solution for the purpose of maintaining the fluid plan that is established by the Registered Nurse;
- e. Connect a dialysis access to isotonic saline or heparinized isotonic saline;
- f. Administer oxygen;
- g. Collect additional data concerning patient's condition;
- h. Function only under the direct supervision of a Registered Nurse; and
- i. Function only in hemodialysis facilities which are certified by the Department of Health, Division of Licensure and Certification, or its successor agency.

2.2. Prohibited functions of the CHT:

The CHT shall not:

- a. Take orders for dialysis treatments;
- b. Alter dialysis orders as prescribed by a physician or Nurse Practitioner;
- c. Determine or regulate the dosage of heparin;
- d. Perform hemodialysis in the home setting;
- e. Perform any function or service for clients for which a nursing license is required under the Nursing Practice Law § 73-15-1 et seq Miss. Code Ann. and the Rules and Regulations of the Mississippi Board of Nursing;
- f. Initiate or discontinue treatment via central lines;
- g. Initiate, regulate, monitor, provide care related to, or discontinue hemodialysis via any dual lumen catheter (temporary or permanent) regardless of placement;
- h. Administer medications by any route except those agents addressed in Chpt. V 2.1 of these rules; or
- i. Administer blood, blood components, plasma, plasma expanders, hypertonic solutions or other intravenous solutions except those agents in Chpt. V 2.1 of these rules.
- j. Perform dialysis treatments when not under the direct supervision of a RN.
- k. Function in supervisory capacity.
- l. Delegate care or portions of care to others.

3. Disciplinary Action

3.1. Grounds for disciplinary action

The Board retains the power to conduct disciplinary hearings of CHTs and/or applicants for certification concerning the restriction, denial, suspension, revocation and/or discipline of a CHT in accordance with the provisions of this act as follows:

- a. The CHT is incapable of functioning as a CHT which is defined to include, but not limited to:
 - (1) Inability to function with reasonable skill and safety as a CHT for any reason including, but not limited to, the use of drugs, alcohol, controlled substances or any mind or mood altering substance which could impair judgment.
 - (2) Is addicted to or dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effect, or has misappropriated any medication.
 - (3) Working under the influence of alcohol or other mood altering substances.
 - (4) Has a physical, mental or emotional condition that renders the CHT unable to perform CHT services or duties with reasonable skill and safety.
 - (5) Performance of unsafe or unacceptable care of clients receiving dialysis treatments or failure to conform to the essential and prevailing standards of CHTs.
 - (6) Omitting in a negligent fashion to record information regarding procedures performed and care provided which could be relevant to the client's care.
 - (7) Failure to report information regarding the client's treatment and/or health status to appropriate person which could be relevant to the client's care and status.
 - (8) Negligently or willfully providing care in a manner that fails to meet generally accepted standards of care;
 - (9) Engages in conduct likely to deceive, defraud or harm the public.
 - (10) Negligently or willfully failing to maintain confidentiality of client information.
 - (11) Violates any provisions of this chapter.
 - (12) Engages in any conduct, whether of the same or of a different character from that specified in this chapter, that would constitute a crime as defined in Title 97 of the Mississippi Code of 1972, as now or hereinafter amended.
- b. The CHT is incapable of functioning as responsible member of the health care team which is defined to include, but not limited to:
 - (1) Falsifying, altering or in a repeatedly negligent manner making incorrect entries or failing to make essential entries on records.
 - (2) Misappropriation of money, drugs, or property.
 - (3) Obtaining or attempting to obtain any fee for client services for one's self or for another through fraud, misrepresentation or deceit.
 - (4) Obtaining, possessing, administering or furnishing prescription drugs to any person, including, but not limited to one's self, except as directed by a person authorized by law to prescribe.
 - (5) Obtaining or attempting to obtain a certificate to function as a CHT for one's self or for another through fraud, deceit, misrepresentation or any other act of dishonesty in any phase of the certification.
 - (6) Functioning as a CHT in Mississippi without a valid, current Mississippi certificate, or aiding, abetting or assisting another to function as a CHT without a valid, current Mississippi certificate.
 - (7) Failure to report a CHT who is suspected of violating the provisions of 73-15-1 et seq and/or rules for CHTs.
 - (8) Exceeding the authorized function of a CHT.
 - (9) Abusing, neglecting or exploiting a client.
 - (10) Engaging in sexual contact toward or with a client.
 - (11) Felony conviction or conviction of a crime involving moral turpitude or has had accepted by a court a plea of nolo contendere to a felony or crime involving moral turpitude (a certified copy of the judgment of the court of competent jurisdiction of such conviction or plea shall be prima facie evidence of such conviction).

- (12) Negligently or willfully acting in a manner inconsistent with the health or safety of the public.
- (13) Has negligently or willfully failed to respect the rights and dignity of a client.
- (14) Has had a certification or equivalent thereto suspended or revoked in any jurisdiction, has voluntarily surrendered such certification in any jurisdiction, has been placed on probation as a CHT or has been placed under a disciplinary order(s) in any manner as a CHT in any jurisdiction, (a certified copy of the order of suspension, revocation, probation or disciplinary action shall be prima facie evidence of such action).
- (15) Has negligently or willfully violated any order, rule or regulation of the board pertaining to working as a CHT or certification.

3.2 Disciplinary Proceedings

Disciplinary proceedings will be conducted in accordance with *Miss. Code Ann. § 73-15-1 et seq.* and the Rules and Regulations of the Mississippi Board of Nursing.

4. Education

4.1 Refresher Course Requirements

CHT Refresher Courses must have:

- a. A minimum of eighty (80) hours of clinical practice under the direct supervision of an approved clinical preceptor;
- b. Successful completion of the hemodialysis technician training program's skills list;
- c. Successful completion of the hemodialysis technician training program final examination with a score of at least 80%; and
- d. Written verification, on agency letterhead, of successful completion of supervised clinical practice, skills list, and the final examination shall be provided to the board by the training program's board approved nurse educator.

4.2 Minimum Standards for Hemodialysis Technician Training Program

- a. Objectives. There shall be written objectives for the training program which serve as the basis for planning, implementing and evaluating the program.
 - (1) The objectives shall be developed by the training program faculty.
 - (2) The training program objectives shall describe the knowledge and skills expected of the CHT, and shall be consistent with the authorized functions of the CHT.
 - (3) The training program objectives shall be reviewed annually and revised as necessary by the nurse educator.
- b. Curriculum
 - (1) The curriculum shall be developed, implemented and evaluated by the training program faculty within the framework of the objectives listed in Chpt. V 4 4.2 a., of these rules.
 - (2) The curriculum shall extend over a period of time sufficient to provide essential, sequenced learning experiences which enable a student to develop competence and shall evidence an organized pattern of instruction consistent with principles of learning and sound educational practices. There shall be a minimum of eighty (80) hours of classroom study, and a minimum of one-hundred sixty (160) hours of supervised clinical experience prior to the final didactic examination. Following successful completion of the final didactic examination, there shall be a minimum of 6 months supervised clinical experience.
 - (3) Supervised clinical experience shall provide opportunities for the application of theory and for the achievement of stated objectives in a patient care setting and shall include clinical learning experiences to develop the skills required by hemodialysis technicians to provide safe patient care. The nurse educator and/or clinical preceptor must be physically present and accessible to the student when the student is in the patient care area.
 - (4) The training program's nurse educator shall develop a written systematic plan for curriculum and program evaluation.
- c. Administration and organization
 - (1) The hemodialysis technician training program shall be an integral part of a hemodialysis clinic or unit which is licensed by the Mississippi Department of Health, Division of Licensure and Certification or its successor.
 - (2) There shall be a nurse educator to administer the training program and who shall be responsible for the development, implementation and evaluation of the training program, arrangements for and supervision of students' clinical experiences and communication with the board.

d. Qualifications and competencies of faculty

- (1) The nurse educator shall be a Registered Nurse and shall have an active unrestricted license/privilege to practice nursing in Mississippi.
 - (a) The nurse educator shall have at least two (2) years of nursing practice experience including at least one (1) year of nursing experience in dialysis. Previous nursing experience in critical care and nursing education is desirable.
 - (b) The nurse educator shall be a certified nephrology nurse (CNN) or certified dialysis nurse (CDN).
- (2) Clinical preceptor(s) shall be a Registered Nurse or Licensed Practical Nurse certified in the hemodialysis expanded role, and shall hold an active unrestricted license/privilege to practice nursing in Mississippi.
 - (a) Clinical preceptors shall have a least one (1) year of nursing practice experience including at least six (6) months of nursing experience in dialysis.
 - (b) Clinical preceptors shall demonstrate knowledge and skills in dialysis nursing.

5. Approval of Hemodialysis Technician Training Programs

5.1. Initial Program Approval

a. A dialysis unit, licensed by the Mississippi Department of Health, wishing to obtain approval of its hemodialysis technician training program shall submit an application for approval to the board. Board staff or its designee shall evaluate the application, provide for a site visit to the dialysis unit and make a recommendation to the board regarding the approval of the training program.

- (1) The initial application for approval shall be consistent with the "minimum standards for hemodialysis technician training programs" and shall contain the following:
 - (a) Objectives of the training program;
 - (b) Organizational chart;
 - (c) Name of the medical director, administrator, and nursing director;
 - (d) Names and resumes of the nurse educator(s) and clinical preceptor(s);
 - (e) Verification of state licensure;
 - (f) Program curriculum; and
 - (g) Hemodialysis technician job description.
- (2) A representative of the training program may be scheduled to meet with board staff or its designee to present the proposed program.
 - (a) Following the review of the application, a recommendation concerning, among other things, approval/ denial of approval shall be made to the board.
 - (b) A program not recommended for approval may reapply for approval at which time the program must provide evidence that the identified deficiencies have been corrected.
- (3) After receipt of necessary reports and recommendations the committee's report and recommendation(s), the board may:
 - (a) Grant approval of the program,
 - (b) Defer a decision regarding approval, or
 - (c) Deny approval.

5.2 Criteria for approval, probationary approval, and denial or withdrawal of approval.

The board is the final authority regarding continued approval, probationary approval, denial and/or withdrawal of program approval.

a. Criteria for approval

- (1) Approval shall be granted for no more than five (5) years to a training program when, in the opinion of the board, the program demonstrates compliance with the "minimum standards for approval of hemodialysis technician training programs."
- (2) To ensure continued compliance with the minimum standards for approval, the training program may be periodically reevaluated.
 - (a) During the period of approval and prior to the expiration of approval, a self-evaluation report shall be submitted to board staff or its designee and a site visit shall be made to the program. Whenever possible the site visit should be made to the program when a training session is in progress.

(b) After the review of the self-evaluation and report of the site visit by board staff or its designee, a report shall be made to the board regarding continuation of the training program's approval.

(c) The board may authorize unannounced site visits be made to the approved hemodialysis technician training programs.

b. Criteria for probation

(1) A training program may be given probationary approval when there is evidence of:

(a) Basic compliance with the "minimum standards for approval of hemodialysis technician training programs" along with identified areas which need improvement.

(b) Minimal retention of qualified faculty and/or preceptors resulting in disorganization of the program and a breakdown of supervision and teaching of the program.

(c) Basic compliance with the training program's stated philosophy, objectives, policies and curriculum along with identified areas which need improvement resulting in unsatisfactory student achievement.

(d) Minimal provision of clinical experiences and/or supervision necessary to meet the objectives of the training program.

(2) The training program shall be advised of the reason(s) for the probationary approval.

(3) A reasonable time period, not to exceed one year, will be designated in which the training program must correct deficiencies and meet the minimum standards for approval.

(4) At least sixty (60) days prior to the end of the probationary approval, the training program shall submit a self-evaluation which includes a description of changes made to correct the deficiencies, and a site visit may be made. Board staff or its designee will submit a report to the board.

(6) The board may grant approval to the training program, extend the probationary approval or it may withdraw approval of the program.

c. Criteria for denial or withdrawal of approval

(1) The board may deny approval of a training program when a program fails to provide evidence of compliance with the "minimum standards for approval of hemodialysis technician training programs." A written notice concerning the reasons shall be provided to the officials of the dialysis unit.

(2) The board may withdraw approval of a training program if the program fails to correct deficiencies resulting in noncompliance with the "minimum standards for approval of hemodialysis technician training programs."

(a) A written notice concerning the reasons shall be provided to the officials of the dialysis unit.

(b) The training program shall be removed from the list of board approved hemodialysis technician training programs.

5.3 Changes Requiring Notification to the Board of Nursing for Approval

a. Program changes requiring approval of the board:

(1) Major curriculum changes and/or reorganization of the curriculum.

(2) Major changes in the program's objectives or goals.

(3) Changes in required didactic and/or clinical practice hours.

(4) Changes in the training program faculty and/or clinical preceptors.

(5) Changes in the dialysis unit/clinic's hemodialysis technician job description.

b. Procedure for requesting board approval for program changes

(1) The board shall be notified, in writing, of changes in the program requiring board approval. The notification shall include:

(a) The proposed change(s);

(b) Rationale for the proposed change(s);

(c) Anticipated effect on the current training program;

(d) Timetable for implementation of the proposed change(s);

(e) As applicable, presentation of the differences between the current system and proposed change(s);

(f) As applicable, method of evaluation which will be used to determine the effect of the change;

(g) As applicable, a description of the study and/or method used to determine need for a change; and

(h) As applicable, plans for continuing to meet the "minimum standards for approval of the hemodialysis technician training program."

(2) Board staff may present the changes and recommendations to the board at a regularly scheduled board meeting.

- c. Other changes requiring notification to the board
 - (a) Changes in the internal administration or organizational plan of the hemodialysis clinic or unit which affects the training program.
 - (b) Changes in the facility licensure status with the Mississippi Department of Health, Division of Licensure and Certification, including but not limited to revocation of licensure, probation of licensure or requirement of corrective action plan.

6. Hemodialysis Technician Certification Examination

6.1 Examination

- a. The board shall designate the board-approved certification examination for hemodialysis technicians. The board may develop and maintain the board-approved certification examination for hemodialysis technicians.
- b. The examination shall be administered six (6) times each year and as needed.

6.2 Administration of Examination

- a. Applicants for certification as a hemodialysis technician shall be required to pass the board-approved hemodialysis technician certification examination prior to certification as a CHT.
- b. Applicants observed giving and/or receiving unauthorized assistance during the writing of the examination shall be physically removed from the examination center and the individual(s) shall be referred to the board by a sworn complaint filed by the examiner.
- c. Applicants who fail the examination may repeat the examination one (1) time within a six (6) month period without repeating an approved training program. Applicants who fail the examination may not function as hemodialysis technicians.

7. CHT Advisory Committee

The board may appoint an advisory committee consisting of at least one Registered Nurse practicing in hemodialysis and one Licensed Practical Nurse preferably a Licensed Practical Nurse certified in the expanded role of hemodialysis to advise the board on issues related to CHTs.

8. Penalty for Presentation of Bad Checks

A fee as established by Mississippi Code Annotated, Section 97-19-57, shall be assessed to any individual who presents a check that is later dishonored by the bank. Payment shall be made by cash, certified check, or money order within fifteen (15) days of notification by certified mail of the returned check. Such fees shall be in addition to the amount due. Certifications obtained by payment of a bad check shall be considered invalid until full payment has been made.

CHAPTER VII. DEFINITIONS

(RENUMBERED. FORMERLY CHAPTER VI)