

GENERAL GOVERNMENT CABINET
Board of Nursing
(Amendment)

201 KAR 20:472. Initial approval for dialysis technician training programs.

RELATES TO: KRS 314.035, 314.131(1), 314.137

STATUTORY AUTHORITY: KRS 314.131(1), 314.137

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.137 requires the board to promulgate administrative regulations to regulate dialysis technicians ~~and includes establishing required standards for training programs~~. This administrative regulation establishes the requirements for dialysis technician training programs.

Section 1.

(1) A training program that prepares an individual to become a credentialed dialysis technician shall be approved by the board of nursing.

(2)

(a) A dialysis technician training program that seeks to be approved by the board shall file an Application for Dialysis Technician Training Program Approval and pay a fee of \$2,000; and

(b) The dialysis technician training program shall include with its application:

1. A copy of the approval of certification for the dialysis technician training program's governing organization to operate a renal dialysis center from the Centers for Medicare and Medicaid Services (CMS); and

2. The most recent site visit or survey report~~, and if applicable,~~ a statement of deficiencies~~,~~ and plan of correction, if applicable.

Section 2.

(1) A training program that prepares an individual to become a dialysis technician which is located in this state shall meet the standards established by this administrative regulation.

(2) A training program that is located out of state shall not be subject to the approval process specified in this administrative regulation. However, an applicant who has completed an out of state training program may apply for a dialysis technician credential pursuant to 201 KAR 20:476, Section 1(1)(b).

Section 3. Renal Dialysis Organization.

(1)

(a) An organization which is licensed to operate a renal dialysis center pursuant to 902 KAR 20:018 shall assume full legal responsibility for the overall conduct of the dialysis technician training program.

(b) The organization shall appoint a program administrator who shall be administratively responsible for the oversight of the dialysis technician training program on a twelve (12) month basis.

(c) The organization shall submit to the board in writing the name of the registered nurse who has been designated to assume the administrative duties for the program, the date the person will assume the duties of program administrator, and a copy of his or her curriculum vitae.

(d) The board shall be notified in writing of a change, vacancy, or pending vacancy, in the position of the program administrator within thirty (30) days of the dialysis technician training program's awareness of the change, vacancy, or pending vacancy.

(2) The organization shall develop and implement a plan of organization and administration that clearly establishes the lines of authority, accountability, and

responsibility for each dialysis technician training program location.

(3) A system of official records and reports essential to the operation of the dialysis technician training program shall be maintained according to institutional policy. Provisions shall be made for the security and protection of records against loss and unauthorized distribution or use. The system of records shall include:

- (a) A policy that all records shall be maintained for at least five (5) years;
- (b) Provider name, dates of program offerings, and sites of the training program;
- (c) Admission materials, grades received, and clinical performance records;
- (d) Trainee roster that includes name, date of birth, social security number, and program completion date;
- (e) Faculty records including:
 1. Validation of current licensures or credentials; and
 2. Performance evaluation for faculty employed more than one (1) year.
- (f) Systematic plan of evaluation;
- (g) Graduates of the dialysis technician training program; and
- (h) Administrative records and reports from accrediting agencies.

Section 4. Program Administrator and Assistant Program Administrator.

(1) The program administrator shall have the following qualifications:

- (a)
 1. A minimum of a master's degree from an accredited college or university;
 2. A program administrator who currently does not hold a master's degree from an accredited college or university shall be required to obtain the degree within five (5) years of the effective date of this administrative regulation. The program administrator shall provide documentation that shows active and steady progression towards the degree;~~and~~
 3. The board may waive this requirement~~[the mater's degree requirements in this paragraph]~~ upon a showing that the proposed program administrator is otherwise qualified~~[, such as possessing a minimum of eight (8) years of experience in dialysis patient care and administration]~~.
- (b) A minimum of the equivalent of one (1) year of full time teaching experience;
- (c) At least two (2) years of experience in the care of a patient with end stage renal disease or who receives dialysis care;
- (d) Demonstrated experience or preparation in education that includes teaching adults, adult learning theory teaching methods, curriculum development, and curriculum evaluation. A program administrator without previous program administrator experience shall have a mentor assigned by the renal dialysis center and an educational development plan implemented. The assigned mentor shall have documented experience in program administration;
- (e) An active and unencumbered Kentucky registered nurse license, temporary work permit, or multistate privilege; and
- (f) Current knowledge of requirements pertaining to the dialysis technician training program and credential as established in 201 KAR 20:472, 474, 476, and 478.

(2) A dialysis technician training program may have an assistant program administrator at each location. An assistant program administrator shall have the following qualifications:

- (a)
 - ~~[1.] A minimum of a baccalaureate degree in nursing;~~
 - ~~[2.] [An assistant program administrator who currently does not hold a baccalaureate degree in nursing from an accredited college or university shall obtain the degree within five (5) years of the effective date of this administrative regulation. The assistant program administrator shall provide documentation that shows active and steady progression towards the degree; and]~~

~~{3.} [The board may waive the baccalaureate degree requirements in this paragraph upon a showing that the proposed assistant program administrator is otherwise qualified, such as possessing a minimum of five (5) years of experience in dialysis patient care and administration;]~~

- (b) A minimum of the equivalent of one (1) year of full time teaching experience;
- (c) At least two (2) years of experience in the care of a patient with end stage renal disease or who receives dialysis care;
- (d) Demonstrated experience or preparation in education that includes teaching adults, adult learning theory teaching methods, curriculum development, and curriculum evaluation. A program administrator without previous program administrator experience shall have a mentor assigned by the renal dialysis center and an educational development plan implemented. The assigned mentor shall have documented experience in program administration;
- (e) An active and unencumbered Kentucky registered nurse license, temporary work permit, or multistate privilege; and
- (f) Current knowledge of requirements pertaining to the dialysis technician training program and credential as established in 201 KAR 20:472, 474, 476, and 478.

Section 5. Faculty.

- (1) The faculty shall be adequate in number to implement the curriculum as determined by program outcomes, course objectives, the level of the student, and the educational technology utilized.
- (2) The faculty shall be approved by the program administrator and shall include didactic and clinical faculty.
- (3) The name, title, and credential identifying the education and professional qualifications of each didactic and clinical faculty shall be provided to the board within thirty (30) days of hire. With each change in faculty, whether a new hire or a termination or retirement, an updated list of current faculty shall be provided to the board.
- (4) Didactic faculty.
 - (a) Didactic faculty shall consist of multidisciplinary members with expertise in the subject matter.
 - (b) Didactic faculty shall possess:
 - 1. A minimum of a baccalaureate degree from an accredited college or university; or
 - 2. An associate degree from an accredited school of nursing.
 - (c) Nursing didactic faculty shall possess:
 - 1.
 - a. A current state license as a registered nurse; or
 - b. A privilege to practice in the state; and
 - 2. A minimum of one (1) year of experience with dialysis patient care.
 - (d) Didactic faculty shall document a minimum of two (2) years full time or equivalent experience in their profession or discipline.
 - (e) Didactic faculty shall document preparation in educational activities in the area of teaching and learning principles for adult education, including curriculum development and implementation. The preparation shall be acquired through planned faculty in-service learning activities, continuing education offerings, or academic courses.
 - (f) Didactic faculty hired without prior teaching experience shall have a mentor assigned and an educational development plan implemented.
- (5) Clinical faculty and preceptors.
 - (a) Clinical faculty or a preceptor shall hold a current, unencumbered Kentucky nursing license, temporary work permit, or multistate privilege or a current, unencumbered Kentucky dialysis technician credential.

(b) Clinical faculty or a preceptor shall have evidence of clinical competencies in end stage renal disease and dialysis care.

(c) A preceptor who is a dialysis technician shall hold certification by one (1) of the ~~following~~ dialysis technician certification organizations:

1. The Board of Nephrology Examiners Nursing Technology (BONENT); or
2. The Nephrology Nursing Certification Commission (NNCC); ~~or~~
~~[3.] [The National Association of Nephrology Technicians/Technologists (NANT)].~~

(6) There shall be documentation that the clinical faculty have been oriented to the course, program outcomes, student learning objectives, evaluation methods used by the faculty, and documented role expectations.

Section 6. Standards for Training.

(1) Philosophy, mission, and outcomes.

(a) The philosophy, mission, and outcomes of the training program shall be clearly defined in writing by the faculty and shall be consistent with those of the Renal Dialysis Center.

(b) The program outcomes shall be consistent with those required by the Centers for Medicare and Medicaid Services and the dialysis technician certification organizations listed in Section 5(5)(c) of this administrative regulation~~subsection (3)(b) of this section~~.

(c) The program shall conduct an evaluation to validate that identified program outcomes have been achieved and provide evidence of improvement based on an analysis of those results.

(d) The training program shall include a minimum of 200 hours of didactic course work and 200 hours of direct patient contact. The didactic course work and direct patient contact shall be at least ten (10) weeks. The training program shall maintain a log of clinical hours for each student. It ~~shall~~~~may~~ also include an internship of at least 160 hours. The internship shall begin after two (2) unsuccessful attempts to pass the final examination. The internship shall be completed prior to a third final examination attempt. The internship shall be under the supervision of a registered nurse and shall include a preceptor.

(2) The curricula of the program shall minimally include the following topics:

(a) The legal and ethical aspects of practice including:

1. The history of dialysis;
2. The state and federal regulations governing dialysis including 201 KAR 20:478, 902 KAR 20:018, 907 KAR 1:400, and 42 C.F.R. 494.140;
3. The resources available for pursuing personal and career development;
4. The principles and legal aspects of documentation, communication, and patient rights;
5. The roles of the dialysis technician and other multidisciplinary team members;
6. The principles related to patient safety; and
7. The role of the board of nursing.

(b) Anatomy and physiology applicable to renal function including:

1. Renal anatomy;
2. Organs of the urinary system and components of the nephron; and
3. Functions of the normal kidney.

(c) Diseases of the kidney including:

1. Causes and complications of acute renal failure; and
2. Causes and complications of chronic renal failure.

(d) The psychosocial and physical needs of the end stage renal disease (ESRD) patient and family including:

1. The impact on family and social systems;

2. Coping mechanisms utilized;
 3. Rehabilitative needs;
 4. Community resources available;
 5. All aspects of renal diet and fluid restrictions; and
 6. Educational needs of patients receiving dialysis including the role of the technician and resources available.
- (e) The principles of pharmacology as related to ESRD including:
1. Commonly used medications and their side effects;
 2. The principles of medication administration;
 3. The indications, dosage, action, and adverse effects of heparin, local anesthetics, and normal saline; and
 4. The accurate administration of heparin, local anesthetics, and normal saline.
- (f) Aseptic techniques and established infection control practices including:
1. Dialysis precautions as issued by the United States Centers for Disease Control; and
 2. Proper hand washing technique.
- (g) Principles of dialysis and dialysis treatment including:
1. Definitions and terminology;
 2. Principles of osmosis, diffusion, ultrafiltration, and fluid dynamic;
 3. The structure and function of various types of circulatory access sites and devices;
 4. The indications, advantages, disadvantages, and complications of internal arteriovenous (A/V) fistulas and A/V grafts, and central venous access devices;
 5. The various types of dialyzers;
 6. The benefits, risks, and precautions associated with dialyzer reuse;
 7. The purpose and concept of water treatment;
 8. Knowledge and ability to manage and operate dialysis equipment;
 9. Knowledge and ability to appropriately monitor and collect data throughout the course of treatment;
 10. The etiology, signs and symptoms, prevention, intervention and treatment, and options for the most common complications;
 11. The knowledge and ability to safely initiate and discontinue treatment; and
 12. Routine laboratory tests, values, and collection techniques.
- (h) Other treatment modalities for ESRD including:
1. Renal transplantation; and
 2. Home dialysis options.
- (3) Implementation of the curriculum.
- (a) There shall be a written plan, including supporting rationale, which describes the organization and development of the curriculum.
- (b) The curriculum plan shall reflect the philosophy, mission, and outcomes of the program and shall prepare the student to meet the qualifications for certification as established by the dialysis technician certification organizations listed in Section 5(5)
- (c) of this administrative regulation~~[Board of Nephrology Examiners Nursing Technology (BONENT), the Nephrology Nursing Certification Commission (NNCC), or the National Association of Nephrology Technicians/Technologists (NANT)]~~.
- (c) The dialysis technician training program shall have written measurable program outcomes that reflect the role of the dialysis technician graduate upon completion of the program.
- (d) The dialysis technician training program shall be logical and sequential, and shall demonstrate an increase in difficulty and complexity as the student progresses through the program.
- (e) A course syllabus shall be developed to include outcomes, planned instruction, learning activities, and method of evaluation.

- (f) The teaching methods and activities of both instructor and learner shall be specified. The activities shall be congruent with stated objectives, and content shall reflect adult learning principles.
 - (g) A copy of the course syllabus shall be on file in the dialysis technician training program office and shall be available to the board upon request.
 - (h) Any proposed substantive changes to the dialysis technician training program syllabus shall be submitted to the board in writing at least two (2) months prior to implementation and shall not be implemented without approval from the board. A substantive change is any change in the philosophy, mission, or outcomes that results in a reorganization or reconceptualization of the entire curriculum.
 - (i) Training may be offered through distance learning technologies. Training offered through the use of distance learning technologies shall be comparable to the training offered in a campus based program.
- (4) The curriculum shall require that the student hold a current Basic Life Support (BLS) certificate.

Section 7. Students in Dialysis Technician Training Programs.

- (1) Preadmission requirements shall be stated and published in all publications utilized by the dialysis technician training program including recruitment materials.
 - (a) Program information communicated by the program shall be accurate, complete, consistent, and publicly available.
 - (b) Participation shall be made available for students in the development, implementation, and evaluation of the program.
- (2) Written dialysis technician training program student policies shall be accurate, clear, and consistently applied.
- (3) Upon admission to the training program, each student shall be advised in electronic or written format of policies pertaining to:
 - (a) Prerequisites for admission, readmission, or dismissal;
 - (b) Evaluation methods that include the grading system;
 - (c) Any fees or expenses associated with the training program and refund policies;
 - (d) Health requirements and other standards as required by the renal dialysis center;
 - (e) Student responsibilities;
 - (f) A plan for emergency care while in the clinical setting; and
 - (g) Program completion requirements.
- (4) A student enrolled in a training program is exempt from the credentialing requirement while enrolled. The student shall use the title dialysis technician (DT) trainee.

Section 8. Program Completion Requirements.

- (1) Requirements for successful completion of the dialysis technician training program shall be clearly specified.
- (2) The requirements shall provide evidence of clinical competency through the use of evaluation methods and tools that measure the progression of the student's cognitive, affective, and psychomotor achievement of clinical outcomes based on published rubrics and sound rationale.
- (3) Students shall have sufficient opportunities in simulated or clinical settings to develop psychomotor skills essential for safe, effective practice.
- (4) A final examination shall be administered only during the final forty (40) hours of the first 400 hours of the training program.
 - (a) The final examination shall be mapped to program outcomes and blueprinted to the examination content of one (1) of the certification organizations as listed in Section (5), ~~(c)~~ ~~[Section 6(3)(b)]~~ of this administrative regulation.
 - (b) Following successful completion of the final examination, the student may begin the internship.

(5) The individual who successfully completes the training program, including the internship, shall receive a certificate of completion that documents the following:

- (a) Name of individual;
- (b) Title of training program, date of completion, and location;
- (c) Provider's name;
- (d) The program code number issued by the board; and
- (e) Name and signature of the program administrator or the assistant program administrator.

(6) The program shall submit the List of Dialysis Technician Training Program Graduates within three (3) working days of the program completion date.

Section 9. Incorporation by Reference.

(1) The following materials are~~[material is]~~ incorporated by reference:

- (a) "Application for Dialysis Technician Training Program Approval", 4/2021; and
- (b) "List of Dialysis Technician Training Program Graduates", 4/2021.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky 40222-5172, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the board's Web site at <https://kbn.ky.gov/General/Pages/Document-Library.aspx>~~[https://kbn.ky.gov/legalopinions/Pages/laws.aspx]~~.

AUDRIA DENKER, President

APPROVED BY AGENCY: December 15, 2022

FILED WITH LRC: January 11, 2023 at 12:13 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on March 22, 2023 at 10:00 AM at Kentucky Board of Nursing, 312 Whittington Parkway, Ste 300, Louisville, Kentucky 40222. Individuals interested in being heard at this hearing shall notify this agency in writing by March 15, 2023, five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through March 31, 2023. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Jeffrey R. Prather, General Counsel, Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300 Louisville, Kentucky 40222, (502) 338-2851, jeffrey.prather@ky.gov or submit a comment at: <https://secure.kentucky.gov/formservices/Nursing/PendReg>.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Jeffrey Prather

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the requirements for dialysis technician ("DT") training programs.

(b) The necessity of this administrative regulation:

This regulation is necessary pursuant to KRS 314.137(2).

(c) How this administrative regulation conforms to the content of the authorizing statutes:

This regulation conforms to the content of KRS 314.137(2) by establishing standards for DT training programs.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This regulation will assist in the effective administration of KRS 314.021 and KRS 314.137(2), by establishing standards for DT training programs.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

The amendment updates the list of national dialysis credentialing agencies.

(b) The necessity of the amendment to this administrative regulation:

To remove reference to credentialing agency that no longer exists.

(c) How the amendment conforms to the content of the authorizing statutes:

The regulation conforms to the content of the authorizing statutes, KRS 314.131(1) and KRS 314.137(2), by establishing appropriate standards for DT training programs.

(d) How the amendment will assist in the effective administration of the statutes:

The regulation will assist in the effective administration of KRS 314.021, KRS 314.131(1) and KRS 314.137(2).

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

There are approximately 700 dialysis technicians with a current and active Kentucky DT credential and seven DT training programs that are located and licensed in Kentucky.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

No new action is required.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There is no additional cost.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

The amendment will avoid confusion in regulations and simplify future amendments.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

None.

(b) On a continuing basis:

None.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

Agency funds.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

No fees or funding increase is required.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

It does not.

(9) TIERING: Is tiering applied?

Tiering is not applicable.

FISCAL NOTE

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

The Kentucky Board of Nursing.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 314.131 and KRS 314.137.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

The amendments do not generate additional revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

The amendments do not generate additional revenue.

(c) How much will it cost to administer this program for the first year?

None.

(d) How much will it cost to administer this program for subsequent years?

None.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

No additional cost savings.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

No cost savings.

(c) How much will it cost the regulated entities for the first year?

No additional cost.

(d) How much will it cost the regulated entities for subsequent years?

No additional cost.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):

Expenditures (+/-):

Other Explanation:

(5) Explain whether this administrative regulation will have a major economic impact, as defined below.

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)] This administrative regulation will not have a major economic impact.