

# State Laws and Regulations Specific to Dialysis: An Overview

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The renal community has long had need for a thorough compilation of information on laws and regulations specific to dialysis on a state by state basis to guide the clinical practice of dialysis and for compliance purposes. In recognition of that need, Fresenius Medical Care

North America (FMCNA) undertook the process of gathering such information. The final product has been offered to the community through the American Nephrology Nurses' Association since much of the information relates to the scope of practice and delegation authority of registered

nurses and the licensed practical/vocational nurses and unlicensed dialysis technicians they supervise. FMCNA has made a commitment to update this information on a regular basis for publication annually. ANNA is grateful to Fresenius for this contribution to the industry.

State	PCTs Allowed to Administer Heparin and Saline	Delegation Authority of RNs/ Limitations on LPN/LVNs or UAP	Dialysis Technician Legislation	Dialysis Facility Legislation
ALABAMA	NO	Tasks that may not be delegated to UAP include administration of medications. Limits on IV therapy by LPN - no direct IV bolus meds. <a href="http://www.abn.state.al.us/welcome.html">www.abn.state.al.us/welcome.html</a>	NO	CON and Licensure
ALASKA	NO	Nursing tasks that shall not be delegated from RNs to LPNs include "Administer IV push medications – RNs Only." <a href="http://www.dced.state.ak.us/occ/pub/NursingStatutes.pdf">www.dced.state.ak.us/occ/pub/NursingStatutes.pdf</a>	NO	
ARKANSAS	NO	Nursing tasks that shall not be delegated... "Administration of any medications or IV therapy, including blood or blood products." <a href="http://www.arsbn.org/">http://www.arsbn.org/</a>	NO	
ARIZONA	YES	Dialysis technician certification through a national organization (NANT) or have completion of minimum training requirements. <a href="http://www.azleg.state.az.us/legtext/45leg/2r/summary/h.hb2359_2-08-02_health.doc.htm">www.azleg.state.az.us/legtext/45leg/2r/summary/h.hb2359_2-08-02_health.doc.htm</a> Experienced hemodialysis technician trainees may administer local anesthetic, anticoagulants, or replacement saline. <a href="http://www.azsos.gov/public_services/Title_09/9-10.rtf">www.azsos.gov/public_services/Title_09/9-10.rtf</a> .	YES Included with facility licensure law	Licensure
CALIFORNIA	YES	Cannulation, administration of local anesthetics, heparin, and sodium chloride solutions allowed for technicians. Certification required. <a href="http://caselaw.lp.findlaw.com/cacodes/bpc/1247%2D1247.9.html">http://caselaw.lp.findlaw.com/cacodes/bpc/1247%2D1247.9.html</a> LPNs may not access central line catheters. <a href="http://www.bvnpt.ca.gov/pdf/vnregs.pdf">http://www.bvnpt.ca.gov/pdf/vnregs.pdf</a>	YES	Licensure

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**Disclaimer:** The information contained in the document is limited to the information published on Board of Nursing (BoN) websites, BoN advisory opinions, and the accessibility of other communications, rules and regulations. It is intended as a general reference tool to facilitate state-specific research, is current only through December 2004, does not constitute legal advice, and should not be used as a substitute for review of the actual statutes and regulations governing scope of practice in any jurisdiction.

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State	PCTs Allowed to Administer Heparin and Saline	Delegation Authority of RNs/ Limitations on LPN/LVNs or UAP	Dialysis Technician Legislation	Dialysis Facility Legislation
COLORADO	No Express Prohibition	Broad delegation language. <a href="http://www.dora.state.co.us/nursing/statutesandrules/npa.htm">http://www.dora.state.co.us/nursing/statutesandrules/npa.htm</a>	NO	Licensure
CONNECTICUT	NO	Staffing requirements include 50% licensed nurses. PCTs may initiate, monitor, and terminate dialysis treatments. <a href="http://www.dph.state.ct.us/phc/phc.asp">www.dph.state.ct.us/phc/phc.asp</a>	YES	Licensure
DELAWARE	NO	Delegation by RNs only. RNs may not delegate administration of meds to UAP. <a href="http://www.professionallicensing.state.de.us/boards/nursing/renewal.shtml">www.professionallicensing.state.de.us/boards/nursing/renewal.shtml</a>	NO	
DISTRICT of COLUMBIA	No Express Prohibition	Scope of Practice for LPNs includes administering medication. <a href="http://www.dchealth.dc.gov/prof_license/services/pdf/frameset.asp?id=Nursing/MunicipalNursingRegulations.pdf&amp;strAppld=11">www.dchealth.dc.gov/prof_license/services/pdf/frameset.asp?id=Nursing/MunicipalNursingRegulations.pdf&amp;strAppld=11</a>	NO	CON
FLORIDA	No Heparin Yes Saline	No RN delegation language. <a href="http://www.flsenate.gov/Statutes/index.cfm">www.flsenate.gov/Statutes/index.cfm</a> Agency for Healthcare Administration position statement prohibits heparin administration.	NO	
GEORGIA	No Heparin Yes Saline	Requires training program for hemodialysis PCTs. National certification exam not required. LPNs required to meet the same training and competency requirements as PCTs. <a href="http://www2.state.ga.us/Departments/DHR/ORS/esrdrules.htm#290-9-9-.11">http://www2.state.ga.us/Departments/DHR/ORS/esrdrules.htm#290-9-9-.11</a>		Licensure
HAWAII	No Express Prohibition	No delegation of IV meds unless criteria for delegation is met.” Delegation criteria... “ the delegating RN shall teach UAP special tasks of nursing care and verify the UAP’s competency to perform the tasks.” <a href="http://www.hawaii.gov/dcca/pdf/hrs_pvl_457.pdf">www.hawaii.gov/dcca/pdf/hrs_pvl_457.pdf</a>	NO	CON
IDAHO	NO	May not delegate to UAPs preparation or administration of injections, or start, stop, or adjust any IV therapy. <a href="http://www2.state.id.us/adm/adminrules/rules/idapa23/0101.pdf">http://www2.state.id.us/adm/adminrules/rules/idapa23/0101.pdf</a>	NO	NO
ILLINOIS	NO	Delegation: The transfer of responsibility for the performance of selected tasks by the registered nurse (RN) to qualified, competent assistive personnel in a selected situation, based upon the RN’s plan of care. <a href="http://www.ildpr.com/WHO/nurs.asp">www.ildpr.com/WHO/nurs.asp</a>	NO	Licensure law passed; no rules promulgated

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INDIANA	No Express Prohibition	RNs can delegate if task does not exceed the scope of practice of delegatee. Nurses must balance with ethical duty where there can be no delegation if the nurse knows/should know it is detrimental to patient's health. <a href="http://www.state.in.us/hpb/boards/isbn/nursing_compilation.pdf">www.state.in.us/hpb/boards/isbn/nursing_compilation.pdf</a>		
IOWA	No Express Prohibition	In a dialysis unit, RN may delegate heparin and saline administration to an LPN. RN cannot delegate to UAP anything beyond the scope of practice of LPN. <a href="http://www.legis.state.ia.us/Rules/2003/iac/655/6556/6556.pdf">www.legis.state.ia.us/Rules/2003/iac/655/6556/6556.pdf</a>		
KANSAS	YES	All nursing procedures, including, but not limited to, the administration of medication, delegated by a licensed nurse to a designated unlicensed person shall be supervised. <a href="http://www.ksbn.org/npatoc.htm">www.ksbn.org/npatoc.htm</a>		
KENTUCKY	YES	Dialysis Tech Credentialing. PCTs may cannulate, and administer heparin (specified doses), normal saline, intradermal lidocaine. <a href="http://www.kbn.ky.gov/practice.htm">www.kbn.ky.gov/practice.htm</a>		Licensure
LOUISIANA	No IV Push	Advisory Opinion allows LPN administration of IV heparin for hemodialysis. <a href="http://www.lsbpne.com/practice_opinions.htm">http://www.lsbpne.com/practice_opinions.htm</a> <a href="http://www.lsbpne.com/Documents/scope/rnscope.pdf">http://www.lsbpne.com/Documents/scope/rnscope.pdf</a>		Licensure
MAINE	No Express Prohibition	Rules mention UAPs and CNAs. Nothing specific on dialysis PCTs. Certified Nursing Assistants may administer meds, but only if a med course is taken, certain meds only, and no IV meds. <a href="http://janus.state.me.us/legis/statutes/32/title32ch31sec0.html">http://janus.state.me.us/legis/statutes/32/title32ch31sec0.html</a>		CON Licensure
MARYLAND	YES	Dialysis technicians are listed as a specific category of certified nursing assistant, CNA - DT. Approved training program is required; two year renewal period. <a href="http://www.dsd.state.md.us/comar/subtitle_chapters/10_Chapters.htm#Subtitle27">http://www.dsd.state.md.us/comar/subtitle_chapters/10_Chapters.htm#Subtitle27</a>	YES	

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MASSACHUSETTS	YES	Delegation to Unlicensed Personnel. Nursing advisory ruling. <a href="http://www.mass.gov/dpl/boards/rn/cmr/24403.htm#3.05">www.mass.gov/dpl/boards/rn/cmr/24403.htm#3.05</a> Mass Nurses Organization Position Statement. <a href="http://www.massone.org/main/Position%20Statements/Unlicensed%20Assistive%20Personnel.htm">http://www.massone.org/main/Position%20Statements/Unlicensed%20Assistive%20Personnel.htm</a>		Licensure
MICHIGAN	No Express Prohibition	Broad delegation language. <a href="http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&amp;Admin_Num=33810101&amp;Dpt=CH&amp;RngHigh=">http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&amp;Admin_Num=33810101&amp;Dpt=CH&amp;RngHigh=</a>		
MINNESOTA	No Express Prohibition	In a nursing home setting, medications by injection can be given only by physician, physician's assistant, RN, LPN. Nothing on dialysis. <a href="http://www.state.mn.us/cgi-bin/portal/mn/jsp/content.do?rc_layout=bottom&amp;subchannel=null&amp;programid=536898085&amp;sc3=null&amp;sc2=null&amp;id=536882405&amp;agency=NursingBoard">http://www.state.mn.us/cgi-bin/portal/mn/jsp/content.do?rc_layout=bottom&amp;subchannel=null&amp;programid=536898085&amp;sc3=null&amp;sc2=null&amp;id=536882405&amp;agency=NursingBoard</a>		
MISSISSIPPI	NO	Administration of meds can be delegated only to licensed nurses, either an RN or LPN. Nursing rules allow LPNs to cannulate and administer IV heparin or IV saline. Technicians may not cannulate. <a href="http://www.msbn.state.ms.us/pdf/RulesRegs.pdf">http://www.msbn.state.ms.us/pdf/RulesRegs.pdf</a>		CON
MISSOURI	No Express Prohibition	LPNs allowed to administer IV heparin. No specific language regarding delegating to dialysis technicians. <a href="http://www.sos.mo.gov/adrules/csr/current/4csr/4c200-6.pdf">http://www.sos.mo.gov/adrules/csr/current/4csr/4c200-6.pdf</a>		CON
MONTANA	No Express Prohibition	Nurses cannot delegate administration of medications. <a href="http://www.discoveringmontana.com/dli/bsd/license/bsd_boards/nur_board/pdf/practice_statements.pdf">http://www.discoveringmontana.com/dli/bsd/license/bsd_boards/nur_board/pdf/practice_statements.pdf</a>		Dialysis technician language in proposed delagtion rules as of 1/05.
NEBRASKA	YES	Specific hemodialysis functions allowed for LPNs and PCTs include cannulation and administration of heparin and saline. <a href="http://www.hhs.state.ne.us/crl/nursing/rn%2Dlpn/advisory.htm#DELEGATION">http://www.hhs.state.ne.us/crl/nursing/rn%2Dlpn/advisory.htm#DELEGATION</a>	YES	
NEVADA	YES	A drug or medicine referred to in NRS 454.181 to 454.371, inclusive, may be possessed and administered by: " A dialysis technician, under the direction or supervision of a physician or registered nurse only if the drug or medicine is used for the process of renal dialysis." <a href="http://www.leg.state.nv.us/NRS/NRS-454.html">http://www.leg.state.nv.us/NRS/NRS-454.html</a>		Licensure

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NEW HAMPSHIRE	YES	RNs only can delegate IV administration of meds. Delegation of a task of client care involving the administration of medication shall specify the med, dosage, route. Pharmacy rules allow PCTs to administer saline and heparin. <a href="http://gencourt.state.nh.us/rules/nur100-900.html#nur400">http://gencourt.state.nh.us/rules/nur100-900.html#nur400</a>		Licensure
NEW JERSEY	No Express Prohibition	An RN may delegate selected nursing tasks to the LPN and ancillary nursing personnel (including aids, assistants, attendants and technicians). Nothing specific as to administration of medications or dialysis technicians. <a href="http://www.state.nj.us/lps/ca/nursing/nursesaws.pdf">http://www.state.nj.us/lps/ca/nursing/nursesaws.pdf</a>		Licensure
NEW MEXICO	YES	Hemodialysis Technician can cannulate and administer heparin bolus. Training and testing required for certified hemodialysis technicians. <a href="http://www.state.nm.us/clients/nursing/pdf/nmacpart4.pdf">http://www.state.nm.us/clients/nursing/pdf/nmacpart4.pdf</a>	YES	Licensure
NEW YORK	NO	Properly trained dialysis technicians are allowed to flush IV lines with pre-determined doses of heparin when initiating dialysis. <a href="http://www.nysna.org/programs/practice/alerts/alert5.htm">http://www.nysna.org/programs/practice/alerts/alert5.htm</a> Limitations on LPNs administering IV meds. No IV push except saline or heparin. <a href="http://www.op.nysed.gov/nurse-lpn-iv-longterm.htm">http://www.op.nysed.gov/nurse-lpn-iv-longterm.htm</a>	YES	CON Licensure
NORTH CAROLINA	NO	The dialysis technician may administer heparin, lidocaine, and normal saline. Cannulation may be done by licensed nurse or competent dialysis technician. <a href="http://www.ncbon.com/prac-hemo.asp">http://www.ncbon.com/prac-hemo.asp</a>	YES	CON
NORTH DAKOTA	YES	Delegation rules for UAPs do not allow IV meds. <a href="http://www.ndbon.org/unlicensed/medication_admin.html">http://www.ndbon.org/unlicensed/medication_admin.html</a>		
OHIO	NO	Delegation - Dialysis Technicians can administer IV heparin. Tech rules require certification. <a href="http://www.nursing.ohio.gov/pdfs/NewLawRules/CHAPT-23.pdf">http://www.nursing.ohio.gov/pdfs/NewLawRules/CHAPT-23.pdf</a>	YES	CON

State	PCTs Allowed to Administer Heparin and Saline	Delegation Authority of RNs/ Limitations on LPN/LVNs or UAP	Dialysis Technician Legislation	Dialysis Facility Legislation
OKLAHOMA	NO	Administration of meds may not be delegated. <a href="http://www.youroklahoma.com/nursing/delegation.pdf">www.youroklahoma.com/nursing/delegation.pdf</a> BON Position Paper on LPN administration of IV meds, May 2002... "IV therapy and medication administration may be within the scope of practice of LPN who has appropriate educational training and under supervision." <a href="http://www.youroklahoma.com/nursing/prac1.html">http://www.youroklahoma.com/nursing/prac1.html</a>		Proposed Licensure Law
OREGON	YES	Effective August 2001. Requires certification by a nationally standardized exam <a href="http://www.sos.state.or.us/archives/rules/OARs_300/OAR_333/333_275.html">http://www.sos.state.or.us/archives/rules/OARs_300/OAR_333/333_275.html</a>		Licensure
PENNSYLVANIA	YES	§ 18.402. Delegation A medical doctor may delegate to a health care practitioner or technician the performance of a medical service if certain conditions are met. <a href="http://www.pacode.com/secure/data/049/chapter18/subchapter18toc.html">www.pacode.com/secure/data/049/chapter18/subchapter18toc.html</a> LPNs can administer IV meds after completing an approved course. <a href="http://www.dos.state.pa.us/bpoa/lib/bpoa/20/nurs_board/nurseact.pdf">www.dos.state.pa.us/bpoa/lib/bpoa/20/nurs_board/nurseact.pdf</a>		
RHODE ISLAND	No Express Prohibition	Broad delegation language. State approved broad delegation course for nursing students , no controlled substances allowed. <a href="http://www.health.ri.gov/hsr/regulations/proposed/nursing_prop.pdf">http://www.health.ri.gov/hsr/regulations/proposed/nursing_prop.pdf</a>	YES	Licensure
SOUTH CAROLINA	NO	After June 30, 1985, unlicensed nursing personnel shall not administer medications. BON - the regulations preclude the licensed nurse from delegating administration of medications to UAP. <a href="http://www.llr.state.sc.us/pol/nursing/index.asp?file=uaptasks.htm">http://www.llr.state.sc.us/pol/nursing/index.asp?file=uaptasks.htm</a> LPNs may administer IV saline /heparin push. <a href="http://www.llr.state.sc.us/pol/nursing/index.asp?file=advisoryop10b.htm">www.llr.state.sc.us/pol/nursing/index.asp?file=advisoryop10b.htm</a>	YES	Licensure
SOUTH DAKOTA	YES	LPNs may cannulate and administer IV saline and heparin. <a href="http://legis.state.sd.us/rules/rules/2048.htm#20:48:04:01">http://legis.state.sd.us/rules/rules/2048.htm#20:48:04:01</a> Dialysis techs may administer loading and maintenance doses of heparin according to prescribed protocol. <a href="http://legis.state.sd.us/rules/rules/2048.htm#20:48:04:02">http://legis.state.sd.us/rules/rules/2048.htm#20:48:04:02</a>	NO	
TENNESSEE	NO	LNPs may administer IV meds in ESRD settings- BON Position Statement. <a href="http://www2.state.tn.us/health/Downloads/g4014009.pdf">http://www2.state.tn.us/health/Downloads/g4014009.pdf</a> BON will not approve a program for UAPs to administer meds. 12/01 <a href="http://www2.state.tn.us/health/Downloads/g4021186.pdf">http://www2.state.tn.us/health/Downloads/g4021186.pdf</a>		Licensure

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TEXAS	YES	Licensure law/regs allow cannulation, administration of heparin, saline, and lidocaine. Requires training for dialysis technicians, certification by a nationally standardized examination may be substituted. <a href="http://www.tdh.state.tx.us/hfc/esrd%5F117.pdf">http://www.tdh.state.tx.us/hfc/esrd%5F117.pdf</a>		Licensure
UTAH	No Express Prohibition	Broad delegation language from RN to UAP. <a href="http://www.dopl.utah.gov/licensing/statutes_and_rules/R156-31b.PDF">http://www.dopl.utah.gov/licensing/statutes_and_rules/R156-31b.PDF</a>		
VERMONT	No Express Prohibition	LPNs allowed to perform IV therapy. Nothing specific to dialysis technicians. <a href="http://vtprofessionals.org/opr1/nurses/forms/nursingopinions.pdf">http://vtprofessionals.org/opr1/nurses/forms/nursingopinions.pdf</a>		
VIRGINIA	YES	PCTs may administer heparin, saline PCT training program. <a href="http://www.dhp.state.va.us/bhp/leg/Dialysis%20regs.doc">www.dhp.state.va.us/bhp/leg/Dialysis%20regs.doc</a>		
WASHINGTON	YES	July 2001 - Dialysis regulations requires standardized training of technicians. LPNs may administer IV push if protocols in place <a href="https://www2.wa.gov/doh/hpqa-licensing/HPS6/Nursing/documents/LPN-ivtherapy.pdf">https://www2.wa.gov/doh/hpqa-licensing/HPS6/Nursing/documents/LPN-ivtherapy.pdf</a> A health care assistant trained by a federally-approved ESRD facility may perform venipuncture for blood withdrawal, venipuncture for placement of fistula needles, IV administration of heparin and saline as an integral part of dialysis treatment <a href="http://www.leg.wa.gov/sl/2001-02/1309_sl.txt">www.leg.wa.gov/sl/2001-02/1309_sl.txt</a> <a href="http://www.leg.wa.gov/RCW/index.cfm?section=18.135.060&amp;fuseaction=section">www.leg.wa.gov/RCW/index.cfm?section=18.135.060&amp;fuseaction=section</a>		CON
WEST VIRGINIA	NO	Additional limitations on medication administration by facility staff members include injections or parenteral medications. No delegation authority for techs to administer saline or heparin; recent law passed, requires subsequent legislation. <a href="http://www.wvrnboard.com/scope.pdf">http://www.wvrnboard.com/scope.pdf</a>		CON
WISCONSIN	No Express Prohibition	LPNs may administer IV medications with supervision if competent. <a href="http://drl.wi.gov/dept/papers/pap04.pdf">http://drl.wi.gov/dept/papers/pap04.pdf</a> Delegation language is very broad. <a href="http://drl.wi.gov/dept/papers/pap05.pdf">http://drl.wi.gov/dept/papers/pap05.pdf</a>		
WYOMING	No Express Prohibition	Broad delegation language. Regulations defining the role of certified nursing assistants. No dialysis technician language. <a href="http://nursing.state.wy.us/">http://nursing.state.wy.us/</a>		