<u>UNAPPROVED DRAFT</u>
VIRGINIA BOARD OF HEALTH PROFESSIONS
REGULATORY RESEARCH COMMITTEE
MINUTES
OCTOBER 22, 2003

TIME AND PLACE:	The meeting was called to order at 9:10 a.m., on Wednesday, October 22, 2003, in Conference Room 1 of the Department of Health Professions, 6603 W. Broad St., Richmond, VA
PRESIDING OFFICER:	Joe Gieck, P.T.
MEMBERS PRESENT:	Michael W. Ridenhour, Au.D.
STAFF PRESENT:	Robert Nebiker – Director, Dept. of Health Professions Gail Jaspen – Chief Deputy Director, Dept. of Health Professions Elizabeth A. Carter, Ph.D. - Executive Director for the Board Terri H. Behr - Administrative Assistant
OTHERS PRESENT:	Don Long, Va. Dept. of Health Brenda Halstead, American Nephrology Nurses Assoc. Evelyn Donigan, dialysis patient William H. Edwards, II, National Assoc. of Nephrology Technicians/Technologists Grace Horsely, National Assoc. of Nephrology Technicians/Technologists, Va. Chapter David Hettler, O.D., Board of Health Professions Member Jerry Hinn, DVM, Board of Health Professions Member Mary Smith, Board of Health Professions Member Susan Ward, Va. Hospital and Healthcare Assoc. Debra Duke, Fresenius Medical Care Patricia Waller, ARA Diane Jordan, Fresenius Medical Care
QUORUM:	With two members of the Committee present, a quorum was established.
PUBLIC COMMENT:	Brenda Halstead, representing the American Nephrology Nurses Association, and a certified nephrology nurse, made public comment in support of a certification for patient care technicians. She also explained to the Committee that there exists more than one type of dialysis technician. She noted that in

addition to the true dialysis patient care technician, there are those which perform only functions related to the dialysis machine and have no direct patient care duties.

William Edwards, II, representing the National Association of Nephrology Technicians/Technologists, made public comment in support of a certification process for patient care technicians and supports approval by the Board of all three national credentialing programs.

Grace Horsely, a dialysis patient care technician for 24 years, made public comment in support of a certification process for patient care technicians and supports the Board's recognition of all three credentialing programs.

Evelyn Donigan, a dialysis patient, made public comment in support of certification for dialysis patient care technicians.

Diane Jordan, a registered nurse with Fresenius Medical Care, made public comment inquiring about the actual training of the dialysis patient care technicians and what avenue they have in mind to pursue for the training. The committee explained that their charge is to determine what certification programs they will accept.

VIRGINIA'S REGULATION & EXPERIENCE WITH DIALYSIS CENTERS:

Don Long, with the Virginia Dept. of Health (VDH), informed the Committee that licensure or certification does not exist for end stage renal disease centers and is probably years away, which is one of the likely reasons for the legislation regarding certification for dialysis patient care technicians. Although federal law exists, Mr. Long said that it consists of a set of conditions for Medicare/Medicaid participation for renal facilities. The federal documentation consists of about 200 pages of fine print of rules that are essentially only guidelines. The federal document says that the centers must meet the requirements of state and local law, but there are none in Virginia, so it leaves the inspectors of Virginia Department of Health in a quandary as to what to inspect.

OVERVIEW OF NATIONAL: NEPHROLOGY CERTIFICATION

Dr. Carter informed the Committee that since the last meeting, she has obtained presentation material from

ORGANIZATION: the last of the three credentialing bodies. Most everyone agrees that the NNCO exams, with the exception of the Biomedical Nephrology Technology exam, which focuses on dialysis machine operation and maintenance, meets the requirement for credentialing at least entry-level patient care dialysis technicians.

REGULATION IN OTHER STATES: Dr. Carter stated that there are many different titles used in different states to identify patient care dialysis technicians. She stated that some states, such as Ohio and California, actually have quite a bit of oversight by their Boards of Nursing, including their making site visits and reviews of the training programs. Most states, such as Virginia, do not have this level of oversight.

BHP'S PROPOSAL: Ms. Yeatts stated that this Board has a narrow task to determine certification organizations for title protection and to meet the provisions of the *Virginia Drug Control Act* only. Essentially, the Board's charge is to develop regulations to establish approved certification organizations.

On properly seconded motion by Dr. Ridenhour, the Committee voted unanimously to adopt the proposed regulations in §75-40-30, with the following amendments:

- Subsection 4 , "Certification in Biomedical Nephrology Technology (CCNT) by the National Nephrology Certification Organization (NNCO)" is to be stricken,

and

- Subsection 5, "Certification or licensure as a dialysis technician or similar title by another jurisdiction in the United States" will add this phrase to the end of the sentence:

    "which is substantially equivalent to those in Virginia."

ASSISTED LIVING FACILITY DIRECTORS: Upon consideration of the Board's sunrise review policies and procedures, upon properly seconded motion by Dr. Ridenhour, the Committee voted unanimously to defer approving the workplan to study the need for regulation of Assisted Living Facility

Directors until the Committee's next meeting when representatives from the Assisted Living Directors Association can be consulted to address the Criteria.

NEW BUSINESS: There was no new business.

MEETING ADJOURNED: There being no further business the Committee adjourned at 10:40 a.m.

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Joe Gieck, P.T., Chair

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Elizabeth A. Carter, Ph.D., Executive Director for
the Board of Health Professions