

# **SB0111 - MDBoardNursing - Ltr of Support**

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Position: FAV



# Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

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January 14, 2021

The Honorable Delores G. Kelley  
Chair, Senate Finance Committee  
3 East, Miller Senate Office Building  
Annapolis, MD 21401-1991

**RE: SB0111 - Health Care Facilities - Dialysis Treatment Services - Training (David Selby Dialysis Parity Act) – Letter of Support**

Dear Chair Kelley:

The Maryland Board of Nursing (“the Board”) is submitting this letter of Support for SB0111 - Health Care Facilities - Dialysis Treatment Services - Training (David Selby Dialysis Parity Act). This bill prohibits a health care facility from providing peritoneal dialysis or hemodialysis treatment services unless the individual performing the dialysis procedure has been trained in the peritoneal dialysis or hemodialysis technique being performed. It establishes civil penalties not exceeding \$5,000 for each violation of the Act.

Dialysis centers and facilities with dialysis units employ registered nurses to care for dialysis patients and perform dialysis procedures. During hemodialysis, an outside machine cleans a patient's blood. Peritoneal dialysis involves cleaning blood inside the body with a special fluid.<sup>1</sup> In both of these cases, a dialysis nurse attaches the machine or equipment to the patient, assesses the patient's vital statistics before and after their dialysis procedure, monitors the procedure as it occurs, and records relevant notes and data about the process. Dialysis nurses also teach patients about their kidney conditions, the role of dialysis and medication, and how patients can best care for themselves.<sup>2</sup>

The Board supports SB0111 because it is consistent with the language in COMAR 10.27.19.02 which states:

- B. A nurse may not, when acting in the capacity or identity of a licensed nurse:
  - (3) Perform new techniques and procedures without adequate education and practice;
  - (4) Assume duties and responsibilities in the practice of nursing without adequate preparation or without maintaining competency;

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<sup>1</sup> Nurse Journal, <https://nursejournal.org/dialysis-nursing/dialysis-nurse-careers-salary-outlook/>

<sup>2</sup> Ibid.

The Board believes that holding health care facilities accountable for ensuring that the individuals performing dialysis procedures receives the appropriate training fosters its mission of protecting the public through safe nursing practice.

For the reasons discussed above, the Board of Nursing submits this letter of support for SB0111.

For more information, please contact Iman Farid, Health Policy Analyst, at (410) 585 - 1536 ([iman.farid@maryland.gov](mailto:iman.farid@maryland.gov)) or Rhonda Scott, Deputy Director, at (410) 585 – 1953 ([rhonda.scott2@maryland.gov](mailto:rhonda.scott2@maryland.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Hicks', with a long horizontal line extending to the left.

Gary N. Hicks  
Board President

***The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.***

## **SB 111 - Health Care Facilities - Dialysis Treatme**

Uploaded by: Peters, Megan

Position: INFO

STATE OF MARYLAND



Andrew N. Pollak, MD  
CHAIR

Ben Steffen  
EXECUTIVE DIRECTOR

**MARYLAND HEALTH CARE COMMISSION**

4160 PATTERSON AVENUE – BALTIMORE, MARYLAND 21215  
TELEPHONE: 410-764-3460 FAX: 410-358-1236

January 19, 2021

The Honorable Dolores G. Kelley  
Chair, Finance Committee  
3 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: SB 111 – Health Care Facilities – Dialysis Treatment Services – Training (David Selby Dialysis Parity Act) - Letter of Information**

Dear Chair Kelley:

The Maryland Health Care Commission (the “MHCC”) is submitting this letter of information on SB 111 – Health Care Facilities – Dialysis Treatment Services – Training (David Selby Dialysis Parity Act).

This bill prohibits a “health care facility” from providing peritoneal dialysis or hemodialysis treatment services unless the individual performing the procedure is trained. “Health care facility” includes a kidney dialysis center, a facility operated by the Maryland Department of Health (MDH) or a health officer, and a health care provider’s office.

The regulatory authority for this bill is being placed under the regulatory provisions of the Maryland Health Care Commission (MHCC) as a new section. The MHCC does not regulate or have authority over peritoneal or hemodialysis treatment services or kidney dialysis centers. This authority is more appropriately placed under the miscellaneous provisions of the Health-General Article of the Maryland Annotated Code.

I hope this information is useful. If you would like to discuss this further, please contact Ben Steffen, Executive Director, Maryland Health Care Commission at [ben.steffen@maryland.gov](mailto:ben.steffen@maryland.gov).

Sincerely,

Ben Steffen

A handwritten signature in cursive script that reads "Ben Steffen".

Executive Director, MHCC