

By: Senator(s) Nunnelee

To: Public Health and  
Welfare; Appropriations

SENATE BILL NO. 2730

1 AN ACT TO ESTABLISH A STATEWIDE PROGRAM FOR THE CERTIFICATION  
2 OF HEMODIALYSIS TECHNICIANS BY THE MISSISSIPPI BOARD OF NURSING;  
3 TO AMEND SECTION 73-15-17, MISSISSIPPI CODE OF 1972, TO CONFORM;  
4 AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** (1) A statewide program for certification of  
7 hemodialysis technicians is created according to the rules adopted  
8 by the Mississippi Board of Nursing.

9 (2) Unless certified as a certified hemodialysis technician  
10 pursuant to this section, no person shall:

11 (a) Practice as a certified hemodialysis technician; or

12 (b) Use the title "certified hemodialysis technician"  
13 or "hemodialysis technician" or other title, abbreviation,  
14 letters, figures, signs or devices to indicate or imply that the  
15 person is a certified hemodialysis technician.

16 (3) The Mississippi Board of Nursing is authorized and  
17 empowered to:

18 (a) Maintain a permanent register of all certified  
19 hemodialysis technicians;

20 (b) Adopt rules for certified hemodialysis technician  
21 training programs, including standards and curricula;

22 (c) Provide for periodic evaluation of training  
23 programs;

24 (d) Grant, deny or withdraw approval from a training  
25 program that fails to meet prescribed standards or fails to  
26 maintain a current contract with the board;

27 (e) Develop, maintain and administer a certification  
28 examination or grant, deny or withdraw approval of a certification  
29 examination(s);

30 (f) Adopt rules for certification by examination,  
31 endorsement, renewal and reinstatement; and

32 (g) Conduct disciplinary hearings of certified  
33 hemodialysis technicians concerning the restriction, denial,  
34 suspension, revocation and/or discipline of a certificate holder  
35 in any manner specified in this section.

36 (4) Certified hemodialysis technician applicant  
37 qualifications. Any applicant for a certification to perform as a  
38 hemodialysis technician shall submit to the Mississippi Board of  
39 Nursing:

40 (a) An attested written application on a Mississippi  
41 Board of Nursing form;

42 (b) A diploma from an approved high school or the  
43 equivalent thereof, as determined by the appropriate education  
44 agency;

45 (c) Written official evidence of completion of a  
46 hemodialysis technician program approved by the Mississippi Board  
47 of Nursing;

48 (d) Evidence of competence in English related to health  
49 care/nursing, provided the first language is not English;

50 (e) The applicant shall pass the certification  
51 examination as approved by the Mississippi Board of Nursing; and

52 (f) Any other official records required by the  
53 Mississippi Board of Nursing.

54 (5) The Mississippi Board of Nursing may, in its discretion,  
55 refuse to accept the application of any person who has been  
56 convicted of a criminal offense under any provision of Title 97 or  
57 any offense included in Section 43-11-13 or 45-33-23, Mississippi  
58 Code of 1972, as now or hereafter amended, or any provision of  
59 this section.

60           (6) Every certificate issued by the Mississippi Board of  
61 Nursing to practice as a certified hemodialysis technician shall  
62 be renewed every two (2) years. The certified hemodialysis  
63 technician seeking renewal shall submit proof of employment as a  
64 certified hemodialysis technician, proof of having met continuing  
65 education requirements adopted by the Mississippi Board of Nursing  
66 and any other official records required by the Mississippi Board  
67 of Nursing.

68           (7) The Mississippi Board of Nursing shall establish  
69 nonrefundable fees necessary for the administration of this  
70 section, including, but not limited to, fees for initial  
71 certification by initial or subsequent examination, renewal of  
72 certification, reinstatement of a lapsed certificate, endorsement,  
73 initial review and approval of a training program, subsequent  
74 review and approval of a training program.

75           **SECTION 2.** Section 73-15-17, Mississippi Code of 1972, is  
76 amended as follows:

77           73-15-17. The Mississippi Board of Nursing is authorized and  
78 empowered to:

79           (a) Adopt and from time to time revise such rules and  
80 regulations consistent with the law as shall be necessary to  
81 govern its proceedings and carry into effect the provisions of  
82 this chapter.

83           (b) Require the secretary to keep records of all  
84 meetings of the board and keep a record of all proceedings, and to  
85 prepare a register of registered nurses and a register of licensed  
86 practical nurses, all nurses appearing thereon to be duly licensed  
87 under this chapter, and which registers shall be open for public  
88 inspection at all reasonable times.

89           (c) Issue subpoenas, require attendance of witnesses  
90 and administer oaths of persons giving testimony.

91           (d) Cause the prosecution of all persons violating the  
92 provisions of this chapter, and incur such necessary expenses  
93 therefor.

94           (e) Conduct hearings upon charges calling for  
95 discipline of a licensee or revocation of a license or of the  
96 privilege to practice.

97           (f) Present a true and full report to the Governor and  
98 the Legislature, together with statement of receipts and  
99 disbursements on or before February 1 of each year.

100           (g) Maintain an office in Jackson for the  
101 administration of this chapter.

102           (h) File an annual list of all certificates of  
103 registration issued by the board with the Secretary of State's  
104 office for both registered nurses and licensed practical nurses.

105           (i) File an annual list of all certificates of  
106 registration issued by the board to registered nurses, including  
107 addresses of the persons with the Mississippi Nurses' Association;  
108 and file a similar list of all certificates of registration issued  
109 to licensed practical nurses, including addresses of the persons,  
110 with the Mississippi Federation of Licensed Practical Nurses and  
111 the Mississippi Licensed Practical Nurses Association.

112           (j) Adopt a seal which shall be in the form of a circle  
113 with the image of an eagle in the center, and around the margin  
114 the words "Mississippi Board of Nursing", and under the image of  
115 the eagle the word "Official". The seal shall be affixed to  
116 certificates and warrants issued by the board, and to all records  
117 sent up on appeal from its decisions.

118           (k) Schedule dates and locations for state board  
119 examinations for examining qualified applicants for licensure.

120           (l) Examine, license and renew licenses of duly  
121 qualified applicants.

122           (m) Appoint and employ a qualified person who shall not  
123 be a member of the board to serve as executive director, define

124 the duties, fix the compensation and delegate to him or her those  
125 activities that will expedite the functions of the board. The  
126 executive director shall meet all the qualifications for board  
127 members, and shall in addition:

128                   (i) Have had at least a master's degree in  
129 nursing, eight (8) years' experience as a registered nurse, five  
130 (5) of which shall be in teaching or in administration, or a  
131 combination thereof; and

132                   (ii) Have been actively engaged in nursing for at  
133 least five (5) years immediately preceding appointment.

134                   (n) Employ, discharge, define duties and fix  
135 compensation of such other persons as may be necessary to carry  
136 out the provisions of this chapter.

137                   (o) Secure the services of research consultants as  
138 deemed necessary who shall receive a per diem, travel and other  
139 necessary expenses incurred while engaged by the board.

140                   (p) To enter into contracts with any other state or  
141 federal agency or with any private person, organization or group  
142 capable of contracting, if it finds such action to be in the  
143 public interest and in the furtherance of its responsibilities.

144                   (q) To establish and conduct a statewide program for  
145 certification of hemodialysis technicians pursuant to Section 1 of  
146 Senate Bill No. 2730, 2006 Regular Session.

147                   **SECTION 3.** This act shall take effect and be in force from  
148 and after July 1, 2006.