



Long-Term Care Regulatory Provider Letter

Number: PL 2021-36
Title: Dialysis Technicians in Nursing Facilities (Senate Bill 1692)
Provider Types: Nursing Facilities (NF)
Date Issued: September 30, 2021

1.0 Subject and Purpose

This letter informs NFs of the impact of Senate Bill (SB) 1692, 87th Legislature, Regular Session, 2021, which adds §251.033 to the Texas Health and Safety Code.

2.0 Policy Details & Provider Responsibilities

SB 1692 stipulates that dialysis technicians are allowed to provide home dialysis in a NF if:

- the dialysis technician has been trained and is competent in accordance with HHSC's requirements¹;
- the home dialysis care is provided under the supervision of an appropriately trained² registered nurse; and
- the supervising registered nurse and dialysis technician are employees of the same entity.

"Supervision" means that the registered nurse is physically present in the room with the dialysis technician while dialysis is being administered.

These requirements are consistent with current NF rules³; therefore, no change to 26 Texas Administrative Code (TAC), Chapter 554 is planned and no additional requirements for the NF will be added. NFs should be aware

¹ HHSC requirements can be found at 25 TAC, Chapter 117, [Subchapter E](#).

² The statute states that the registered nurse should be trained in accordance with 26 TAC [§558.405](#).

³ See 26 TAC [§554.901\(11\)](#).

that this practice by an end stage renal disease (ESRD) facility is allowed under the conditions listed.

3.0 Background/History

SB 1692 modified Texas Health and Safety Code Chapter 251, the statute governing ESRD facilities. While this change does not impact NF rules, NFs should be aware of the new provisions.

4.0 Resources

None

5.0 Contact Information

If you have any questions about this letter, please contact the Policy and Rules Section by email at LTCRPolicy@hhs.texas.gov or call (512) 438-3161.