

Senate Bill 304

By: Senators Mullis of the 53rd and Thomas of the 54th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to  
2 provide for requirements for the treatment of patients with end stage renal disease; to provide  
3 a short title; to provide for definitions; to provide requirements for registered nurses who  
4 provide treatment to patients with end stage renal disease; to provide for training  
5 requirements for registered nurses who provide treatment to patients with end stage renal  
6 disease; to provide for an independent review by the Kidney Disease Advisory Committee  
7 to assess the training and common practices of acute hospital based and free standing dialysis  
8 facilities and to make recommendations regarding the safety of patients with end stage renal  
9 disease; to provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by  
13 inserting immediately following Chapter 16 a new Chapter 16A to read as follows:

14 "CHAPTER 16A

15 31-16A-1.

16 This chapter shall be known and may be cited as the 'Ray Biddie and Gene Mullis Act.'

17 31-16A-2.

18 As used in this chapter, the term:

19 (1) 'End stage renal disease' means that stage of renal impairment that appears  
20 irreversible and permanent and that requires a regular course of dialysis or kidney  
21 transplantation to maintain life.

22 (2) 'Physician' means an individual who is licensed to practice medicine under Article  
23 2 of Chapter 34 of Title 34.

1 (3) 'Registered nurse' means an individual who is currently licensed as a registered  
2 professional nurse in this state pursuant to Article 1 of Chapter 26 of Title 34.

3 31-16A-3.

4 (a) Any initiation and monitoring of hemodialysis treatments for a patient with end stage  
5 renal disease shall be performed by a registered nurse under the direct supervision of either:

6 (1) A board certified physician in nephrology; or

7 (2) A board certified physician in internal medicine that is skilled in renal and related  
8 disease procedures.

9 (b)(1) Assessment of a patient with end stage renal disease shall be performed by a  
10 registered nurse under the direct supervision of either:

11 (A) A board certified physician in nephrology; or

12 (B) A board certified physician in internal medicine that is skilled in renal and related  
13 disease procedures.

14 (2) Assessment of a patient with end stage renal disease shall include industry standard  
15 practices and shall include exhaustive evaluation of the patient's access. Any deviation  
16 indicating possible infection shall be treated with stringent measures to prevent patient  
17 complications, including death of the patient.

18 (c) A methodology shall be established to document and track patient infections and  
19 follow-up procedures to prevent patient complications, including hospitalization and death  
20 of the patient.

21 31-16A-4.

22 Prior to initiating, providing, and monitoring hemodialysis treatments, a registered nurse  
23 shall undergo extensive training which shall include, at a minimum:

24 (1) Basics of water treatment for dialysis and the associated risks and hazards;

25 (2) Complications that result from improperly treated water used for dialysis;

26 (3) Patient signs and symptoms that result from improperly treated water used for  
27 dialysis;

28 (4) Emergency preparedness training in responding to patient signs and symptoms that  
29 result from improperly treated water used for dialysis;

30 (5) Procedures used in water treatment and in dialysis equipment and ancillary supplies  
31 to recognize and respond to chemical exposures, which may lead to harm or death to a  
32 patient with end stage renal disease;

33 (6) Microbiology of water and dialysate used for dialysis to be able to recognize and  
34 respond to exposure to bacteria and endotoxin that may lead to harm or death to a patient  
35 with end stage renal disease;

1 (7) Basics of dialysis equipment function beyond treatment provision to be able to  
2 recognize and respond to situations that may lead to harm or death to a patient with end  
3 stage renal disease;

4 (8) Basics of fluid dynamics and the process of toxin and water removal by the dialyzer  
5 to be able to recognize and respond to situations that may lead to harm or death to a  
6 patient with end stage renal disease;

7 (9) Basics of dialysate composition, production, and standards to be able to recognize  
8 and respond to situations that may lead to harm or death to a patient with end stage renal  
9 disease;

10 (10) Preparation of equipment and ancillary devices used for dialysis, including the  
11 dialyzer, to be able to recognize and respond to situations that may lead to harm or death  
12 to a patient with end stage renal disease; and

13 (11) Process of dialyzer reprocessing standards, if applicable, to be able to recognize and  
14 respond to situations that may lead to harm or death to a patient with end stage renal  
15 disease.

16 31-16A-5.

17 The Kidney Disease Advisory Committee established pursuant to Code Section 31-16-3  
18 shall undertake an independent review to assess the training and common practices of acute  
19 hospital based and free standing dialysis facilities and to make further recommendations  
20 on the training levels of medical professionals and the safety of patients with end stage  
21 renal disease. The advisory committee shall:

22 (1) Review infection rates reported to the Centers for Disease Control and Prevention  
23 and to the regional renal network organizations;

24 (2) Review specific guidelines developed for diagnosis, treatment, monitoring, and  
25 reporting of infections;

26 (3) Review training programs of facilities for adequacy and capability of registered  
27 nurses to perform and monitor hemodialysis treatments;

28 (4) Study the feasibility of the creation of regional training centers to be operated by  
29 industry professionals in the fields of nursing and dialysis technology and by biomedical  
30 specialists to:

31 (A) Provide the basic educational requirements necessary to provide and monitor  
32 dialysis treatments; and

33 (B) Provide education and assistance for related disease modalities to delay or prevent  
34 the onset of end stage renal disease; and

35 (5) Review the costs to medicare for all new onsets of end stage renal disease."

1 **SECTION 2.**

2 All laws and parts of laws in conflict with this Act are repealed.