

 **STATE OF NEW YORK**
DEPARTMENT OF HEALTH

433 River Street, Suite 303

Troy, New York 12180-2299

Antonia C. Novello, M.D., M.P.H., Dr.P.H.
Commissioner

Dennis P. Whalen
Executive Deputy Commissioner

August 15, 2006

Dear Administrator:

Historically, the New York State Education Department has determined that it is NOT within the scope of practice of a Licensed Practical Nurse (LPN) to independently access central venous lines in any health care setting. Effective October 1, 2006, upon completion of a training program consistent with the requirements outlined in the attachment to this letter, including successful completion of a competency evaluation, it will be permissible for LPNs, working exclusively in chronic hemodialysis outpatient settings, to access and provide care to patients with central venous catheters under the direction of a Registered Professional Nurse (RN). In accordance with New York State Education Law, all LPN activities must occur under the direct supervision of a RN. With or without implementation of this new program for the expanded role of LPNs in the hemodialysis outpatient chronic dialysis setting, the RN maintains overall responsibility for the patients in the unit.

The Code of Federal Regulations (CFR) 405.2136 (d) (1) requires chronic hemodialysis outpatient facilities to have policies and procedures that ensure "All members of the facility's staff are qualified to perform the duties and responsibilities assigned to them and meet such Federal, State, and local professional requirements as may apply." Facilities that choose to participate in the program allowing LPNs to access central venous catheters must include the training and competency requirements in the facility's policies and procedures as defined in the attached document for this expanded LPN role.

Facilities will be responsible for identifying the LPN candidates determined to be eligible for this training. It is noted, however, that there may be situations where the RN is not comfortable with a trained LPN accessing central venous catheters. Facility training of LPNs is to be accomplished with the understanding that the final determination for an LPN providing this service will be at the discretion of the supervising RN. The delegation of these activities is based on the RN's professional judgment, the competence of the LPN, policy and procedures of the facility and standards of nursing practice. Regardless of the degree of delegation, however, the RN retains the ultimate responsibility for the administration and clinical management of dialysis care, including assessment of the patient for symptoms and reactions. The scopes of practice of RNs and LPNs are not interchangeable. Inappropriate use of LPNs may expose the delegating RN to a potential charge of unprofessional conduct for inappropriate delegation of professional responsibilities and the LPN to a charge of acting outside the scope of nursing as a Licensed Practical Nurse.

The New York State Department of Health and the New York State Education Department, working cooperatively with representatives from the New York ESRD Network, providers of chronic hemodialysis outpatient services, and professional clinical staff associations, have developed the attached training program requirements. This program will allow LPNs, who have completed the formal education programs as described within the attached document to care for patients with central venous catheters ONLY in the chronic hemodialysis outpatient setting. The LPN must be under the direct supervision of the RN. This program does not apply to any other health care setting.

CFR 405.2136 (d) (6) requires that facility personnel in the chronic hemodialysis outpatient center participate in educational programs on a regular basis, including initial orientation and continuing inservice training. If the facility plans to allow LPNs to access central venous catheters as part of the provision of services, the LPN must first complete a training program, consistent with the program requirements specified in the attached document, with successful completion of a written examination and competency demonstration. The training for LPN central venous catheter access may be part, or may be independent, of the facility's initial training program. If part of the facility initial training, the written examination for the central venous catheter training for LPNs may be incorporated into the initial training comprehensive examination. It is required that LPNs receive annual updates for central venous catheter training, with successful completion of the skill based practical competency evaluation.

These LPN functions are allowed in the chronic hemodialysis outpatient setting, with successful completion of the advanced training and under the direct supervision of an RN. Registered professional nurses at the facility are to be familiar with the LPN training program to ensure they clearly understand the tasks that may be delegated to the LPN(s) under their supervision. The LPN competency evaluation requirement in this training program is not to be used as the RN competency exam for central venous catheters, since it is not inclusive of professional registered nursing processes related to this function. A separate and distinct RN demonstrated competency for central venous catheters is required. The RN is responsible for evaluating each central venous catheter patient within thirty (30) minutes (not to exceed 45 minutes) of initiation of the dialysis procedure.

The facility's responsibilities for authorizing LPNs to initiate dialysis procedures on patients with central venous catheters include:

- Develop and regularly update policies and procedures for LPN access of central venous catheters;
- Ensure LPNs have received the appropriate training for accessing central venous catheters, receive supervised clinical experience, demonstrate competency, and provide the service under appropriate supervision;
- Ensure LPNs complete an annual update training for accessing central venous line catheters, with demonstrated competency;
- Maintain onsite documentation reflecting the mandated LPN training for care of the central venous catheter dialysis patients;

- LPNs with experience in accessing central venous catheters based on employment at another facility MUST take and successfully complete the training program and competency evaluation at the current facility, in order to continue accessing central venous catheters in the provision of care to chronic hemodialysis outpatient patients.

Facility compliance with the training and competency program requirements and implementation of the LPN expanded role in the chronic hemodialysis outpatient setting will be monitored through routine New York State Department of Health surveillance activities.

The implementation of this training program is mandatory for LPNs accessing central venous catheters for the provision of dialysis services in the chronic hemodialysis outpatient setting. If you have any questions, please contact Ms. Rosemarie Miller at (518) 402-1003 or at rxm04@health.state.ny.us.

Sincerely

A handwritten signature in cursive script that reads "Martin J. Conroy".

Martin J. Conroy

Director

Division of Primary and Acute Care Services