

# STATE OF NEW YORK

5634

2025-2026 Regular Sessions

## IN ASSEMBLY

February 18, 2025

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to establishing training and registration requirements for kidney dialysis patient care technicians

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public health law is amended by adding a new article  
2 37-B to read as follows:

3 ARTICLE 37-B

4 KIDNEY DIALYSIS PATIENT

5 CARE TECHNICIANS

6 Section 3720. Definitions.

7 3721. Training.

8 3722. Practice of kidney dialysis patient care.

9 3723. Exemption.

10 § 3720. Definitions. For the purposes of this article:

11 1. "Kidney dialysis patient care technician" means any person, not  
12 licensed to practice medicine or nursing, or as a physician assistant or  
13 specialist assistant, who performs kidney dialysis services on a human,  
14 is employed in an out-patient dialysis center or hospital dialysis unit,  
15 and has successfully completed the training requirements established  
16 pursuant to section thirty-seven hundred twenty-one of this article and  
17 the registration requirement of section thirty-seven hundred twenty-two  
18 of this article.

19 2. "Kidney dialysis patient care technician trainee" means any person,  
20 not licensed to practice medicine or nursing, or as a physician assist-  
21 ant or specialist assistant, who performs kidney dialysis services on a  
22 human, is employed or planning to be employed in an out-patient dialysis  
23 center or hospital dialysis unit, and has enrolled in or completed the  
24 training required by section thirty-seven hundred twenty-one of this

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 article and has not registered pursuant to section thirty-seven hundred  
2 twenty-two of this article.

3 § 3721. Training. 1. The commissioner, in consultation with the  
4 commissioner of education, shall establish standardized training  
5 requirements for kidney dialysis patient care technicians.

6 2. Such training requirements established pursuant to this section and  
7 the rules and regulations promulgated by the commissioner shall have  
8 clearly defined criteria for evaluating, on an annual basis, each train-  
9 ee's attainment of training goals and competency in provision of kidney  
10 dialysis services. Kidney dialysis patient care technician training  
11 programs may be conducted by:

12 (a) kidney dialysis providers;

13 (b) degree and non-degree granting institutions of higher education as  
14 defined in section two of the education law, chartered, approved or  
15 licensed by the board of regents; or

16 (c) any other entity approved by the commissioner to conduct such a  
17 program.

18 3. The training established by this section shall include, but not be  
19 limited to, the following topics:

20 (a) an overview of the roles and responsibilities of kidney dialysis  
21 patient care technicians; and

22 (b) an overview of kidney dialysis therapy.

23 § 3722. Practice of kidney dialysis patient care. 1. Except as other-  
24 wise provided by this article, no person shall provide kidney dialysis  
25 services, as such services are defined by the commissioner, unless such  
26 person has completed the training required pursuant to section thirty-  
27 seven hundred twenty-one of this article, and has registered with the  
28 department pursuant to subdivision two of this section.

29 2. Upon the successful completion of the training required pursuant to  
30 section thirty-seven hundred twenty-one of this article, a person may  
31 register with the department to become a kidney dialysis patient care  
32 technician.

33 3. A kidney dialysis patient care technician and a kidney dialysis  
34 patient care technician trainee shall be authorized to perform such  
35 procedures and activities as the commissioner shall deem appropriate for  
36 the level of training completed by such technician or trainee.

37 § 3723. Exemption. 1. Nothing in this section shall prohibit a person  
38 from providing dialysis care to themselves or in-home dialysis care  
39 provided to a person by a friend or family member who does not represent  
40 themselves to be a "kidney dialysis patient care technician".

41 2. The provisions of section thirty-seven hundred twenty-two of this  
42 article shall not apply, until one year after the effective date of such  
43 section, to any person who, on the effective date of such section, has  
44 been providing kidney dialysis services for a period of not less than  
45 two years.

46 § 2. This act shall take effect immediately; provided, however that  
47 section 3722 of the public health law, as added by section one of this  
48 act, shall take effect one year after the effective date of this act.  
49 Effective immediately, the commissioner of health is authorized to  
50 promulgate any rules and regulations necessary to implement the  
51 provisions of this act on or before the effective date thereof.