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**PERMANENT ADMINISTRATIVE ORDER**

**PH 4-2024**

CHAPTER 333  
OREGON HEALTH AUTHORITY  
PUBLIC HEALTH DIVISION

**FILED**

02/08/2024 1:21 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Definition of dialysis facility or center

EFFECTIVE DATE: 02/13/2024

AGENCY APPROVED DATE: 02/07/2024

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AMEND: 333-275-0010

NOTICE FILED DATE: 12/14/2023

RULE SUMMARY: Amend OAR 333-275-0010 – Modifies the definition of dialysis facility or center to align with definition used under ORS 442.015 based on passage of SB 965 (2023 OL Ch. 199 §5.)

CHANGES TO RULE:

333-275-0010  
Definitions ¶¶

As used in OAR chapter 333, division 275, unless the context requires otherwise, the following definitions apply:¶¶

- (1) "Abbreviated training program" means a training program consisting of a minimum of 16 hours of theory related to hemodialysis or supervised clinical learning experiences to train a hemodialysis technician or demonstrate the clinical competencies of an experienced hemodialysis technician.¶¶
- (2) "Authority" means the Oregon Health Authority, Public Health Division.¶¶
- (3) "Certificate" means a document issued by the Authority identifying the legal privilege and authorization to perform the specific functions and procedures of a hemodialysis technician in the State of Oregon.¶¶
- (4) "Certified hemodialysis technician" (CHDT) means a person certified by the Authority under ORS 688.650.¶¶
- (5) "Competency" means the demonstration of knowledge in a specific area and the ability to perform specific skills and tasks in a safe, efficient manner.¶¶
- (6) "Continuing education" is planned learning experiences beyond a basic technician educational program designed to promote the development of knowledge, improve skills and develop attitudes for the enhancement of patient care relevant to dialysis. ¶¶
- (7) "Criminal records check" means obtaining and reviewing criminal records and includes any or all of the following: ¶¶
  - (a) A check of criminal offender information and driving records conducted through use of the Law Enforcement Data System (LEDS) maintained by the Oregon State Police (OSP), in accordance with the rules adopted and procedures established by the OSP;¶¶
  - (b) A check of Oregon or other state criminal offender information, including through fingerprint identification or other means, conducted by the OSP at the Authority's request; or ¶¶
  - (c) A nationwide check of federal criminal offender information, including through fingerprint identification, conducted by the OSP through the Federal Bureau of Investigation (FBI). ¶¶

(8) "Declared emergency" means:¶

(a) An emergency declared by the Governor under ORS 401.165;¶

(b) A public health emergency declared under ORS 433.441; or¶

(c) An emergency declared by the President of the United States and a public health emergency declared by the Secretary for Health and Human Services, and when the Centers for Medicare and Medicaid Services (CMS) has approved temporary modifications and waivers that apply to Oregon under Section 1135 of the Social Security Act.¶

(9) "Dialysis" means a process by which dissolved substances are removed from a patient's body by diffusion from one fluid compartment to another across a semipermeable membrane. The two types of dialysis that are currently in common use are hemodialysis and peritoneal dialysis.¶

(10) "Dialysis facility or center" means ~~a place awarded conditional or unconditional status by the federal Centers for Medicare and Medicaid Services (CMS) to provide dialysis services~~ an outpatient renal dialysis facility that provides renal dialysis services directly to outpatients.¶

(11) "Direct supervision" means that a registered nurse, nurse practitioner, or physician is physically present in the dialysis facility or center, is actively involved in the direct oversight and training of the trainee hemodialysis technician or CHDT, and is accessible in the immediate patient care area and available to intervene, if necessary.¶

(12) "Extended training program" means a training program designed for the minimally experienced or inexperienced trainee hemodialysis technician to gain the skills necessary to become a CHDT.¶

(13) "Hemodialysis services" means the provision of health services related to dialysis and includes but is not limited to any of the activities described in OAR 333-275-0090. ¶

(14) "National certification" means certification by a national credentialing organization approved by the Authority.¶

(15) "National certification exam" means an examination that has documented validity, reliability, and interrater reliability, is provided on a national level, and is approved by the Authority. ¶

(16) "Nurse practitioner" has the meaning given that term in ORS 678.010.¶

(17) "Physician" means a physician as defined in ORS 677.010 licensed by the Oregon Medical Board under ORS chapter 677. ¶

(18) "Provisional certificate" means a document issued by the Authority identifying the legal privilege and authorization to perform the specific functions and procedures of a hemodialysis technician in the State of Oregon prior to the certificate holder passing a national certification exam.¶

(19) "Registered nurse" means a person licensed by the Oregon State Board of Nursing in accordance with ORS chapter 678. ¶

(20) "Registry" means the list of Oregon certified hemodialysis technicians maintained by the Authority. ¶

(21) "These rules" means OAR 333-275-0001 through 333-275-1010. ¶

(22) "Trainee hemodialysis technician" means an uncertified hemodialysis technician enrolled in an abbreviated or extended training program, working under the direct supervision of a nurse educator or hemodialysis technician educator.

Statutory/Other Authority: ORS 688.635, 688.640, 688.650, 688.665

Statutes/Other Implemented: ORS 688.625 - 688.665