

LVN Scope of Practice

While it may not appear that much is happening with respect to LVN issues, the CDC Board has been extremely active on this issue for several months. We are cautiously optimistic that our behind-the-scenes efforts will be paying off in the future.

There are three main issues involved in the LVN scope of practice debate:

1. Initiation and termination of dialysis via a central line catheter.
2. Performing patient assessment functions (in the future we should refer to this as “data gathering”).
3. Administration of limited medications.

With respect to each of the three issues set forth above, we have made our arguments with application to dialysis clinics only. We are not suggesting what the general scope of practice ought to be for LVNs, but have narrowed our discussion to LVN scope of practice issues in a dialysis clinic setting. A key argument we have used is that LVNs have been serving in these roles for many years in dialysis clinics without problems.

We have worked closely with the Board of Licensed Vocational Nurses and Psychiatric Technicians (BVNPT) in the development of a set of regulations currently under review by this Board. We are hopeful that this regulatory package will be adopted by February and that adoption of the regulatory structure will more clearly set forth the authority for the BVNPT to establish scope of practice determinations for LVNs.

We have been in communication with the Department of Health Services (DHS) and the Centers for Medicare and Medicaid Services (CMS) regarding the importance of allowing LVNs to perform the three functions enumerated above. It appears that we may be making headway with these two entities.

Representatives of DHS and CMS are scheduled to meet with representatives of the BVNPT early in January to discuss the BVNPT position with respect to LVNs. That position is set forth in a letter sent to the California Dialysis Council on October 29, 2001. In this letter, Suellen Clayworth, BVNPT staff, makes it clear that the BVNPT feels an LVN who is IV certified may start and stop dialysis through a central line and may perform pre and post-treatment assessment of patients. A copy of this letter may be obtained from the regulatory section of our website. In addition you will find posted the CDC letter to Dr. Diana Bontá, Director DHS which sets forth the CDC position on the first two issues. The CDC website can be found at <http://www.caldialysis.org>.

It may ultimately be necessary for the CDC to consider sponsorship of legislation regarding scope of practice issues for LVNs serving in dialysis facilities. We are hopeful that the regulatory approach will achieve success, however, due to our view that legislation in this field would probably be opposed by the California Nurses Association and would be extremely difficult to enact over their opposition.