

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2113 Session of  
2024

INTRODUCED BY TWARDZIK, WATRO, STEHR, BARTON, OBERLANDER,  
PICKETT, GAYDOS, M. MACKENZIE, HEFFLEY, VENKAT AND JOZWIAK,  
MARCH 14, 2024

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MARCH 14, 2024

AN ACT

1 Amending the act of June 9, 1997 (P.L.169, No.14), entitled "An  
2 act providing for Statewide nurse aide training programs  
3 relating to nursing facilities," providing for training for  
4 long-term care, for criteria for nurse aides and for  
5 limitation on department.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. The act of June 9, 1997 (P.L.169, No.14), known  
9 as the Nurse Aide Resident Abuse Prevention Training Act, is  
10 amended by adding sections to read:

11 Section 3.1. Training for long-term care.

12 (a) Duties of department.--The department shall:

13 (1) Develop and implement a long-term care curriculum  
14 for nurse aides.

15 (2) Establish qualifications for individuals to conduct  
16 training of the long-term care curriculum. The qualifications  
17 shall include, at a minimum, that an instructor must be a  
18 registered nurse or a licensed practical nurse under the  
19 supervision of a registered nurse as defined in 49 Pa. Code §

1 21.1 (relating to definitions).

2 (3) Establish a training program to implement a train-  
3 the-trainer model so that trainers are able to deliver the  
4 long-term care curriculum to nurse aides in this  
5 Commonwealth. If the training of a nurse aide is performed by  
6 a registered nurse or a licensed practical nurse under the  
7 general supervision of a registered nurse:

8 (i) the registered nurse must be available to the  
9 licensed practical nurse; and

10 (ii) the registered nurse must have a minimum of two  
11 years of nursing experience, with at least 12 months of  
12 employment in a long-term care nursing facility.

13 (4) Review an application for approval to enroll in a  
14 training program. If the department fails to approve an  
15 initial application within 45 calendar days of receipt, the  
16 application shall be deemed approved. If the department fails  
17 to approve a revised application within 15 days of receipt,  
18 the application shall be deemed approved.

19 (b) Eligibility for admittance to examination.--

20 Notwithstanding any other provision of law to the contrary, an  
21 individual who is a student nurse or graduate nurse shall be  
22 admitted to sit for the nurse aide examination if the individual  
23 demonstrates that the individual has completed courses through a  
24 nursing program that is equivalent to the requirements of the  
25 nurse aide training program.

26 Section 3.2. Criteria for nurse aides.

27 (a) General rule.--In order to become a nurse aide in this  
28 Commonwealth, an individual must:

29 (1) Successfully complete a State-approved nurse aide  
30 curriculum and training program or the long-term care

1 curriculum for nurse aides and achieve a minimum score,  
2 established by the department, on the nurse aide competency  
3 examination, which shall consist of:

4 (i) a written portion that may be taken, at the  
5 option of the individual, in person or remotely over the  
6 Internet; and

7 (ii) a skills-demonstrated portion approved by the  
8 department and administered at a site and instructor  
9 approved by the department.

10 (2) Be a graduate of an accredited registered nurse or  
11 licensed practical nursing program and achieve a minimum  
12 score, established by the department, on the nurse aide  
13 competency examination.

14 (3) Be a student of an accredited registered nurse or  
15 licensed practical nursing program who obtains a passing  
16 grade in a fundamentals of nursing course or equivalent and  
17 achieves a minimum score, established by the department, on  
18 the nurse aide competency examination.

19 (b) Facility proctoring of the competency evaluation.--

20 (1) The competency evaluation may, at the nurse aide's  
21 option, be conducted at the facility in which the nurse aide  
22 is or will be employed unless the facility is described in 42  
23 CFR 483.151(b) (2) (relating to state review and approval of  
24 nurse aide training and competency evaluation programs).

25 (2) The department may permit the competency evaluation  
26 to be proctored by facility personnel if the department finds  
27 that the procedure adopted by the facility ensures that the  
28 competency evaluation program:

29 (i) is secure from tampering;

30 (ii) is standardized and scored by a testing,

1           educational or other organization approved by the  
2           department; and  
3           (iii) requires no scoring by facility personnel.

4 Section 3.3. Limitation on department.

5           The department may not impose on a provider of a State-  
6 approved nurse aide program a waiting period between approval of  
7 the training program and the offering of any portion of the  
8 training online.

9           Section 2. This act shall take effect in six months.