

# **SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE**

**BILL NO.** Senate Bill 1268

**PRINTER NO.** 1905

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

August 31, 2020

**PRIME SPONSOR**

Senator J. Ward

**DESCRIPTION**

Senate Bill 1268 amends the Nurse Aide Resident Abuse Prevention Training Act of June 9, 1997, to allow Temporary Nurse Aides to transition to Certified Nurse Aides.

The legislation provides for the certification of nurse aides hired under the waiver processes authorized by the federal and state emergency declarations related to COVID-19.

Under Senate Bill 1268, an individual will satisfy the requirements of completing a nurse aide training and competency evaluation program if:

- The individual successfully completed a training program and competency assessment authorized under the Centers for Medicare & Medicaid Services' COVID-19 pandemic waiver, including online training and an online examination;
- The individual completed a minimum of 80 hours of temporary nurse aide or supervised practical nurse aide training, on-the-job training or regular in-service nurse aide education during the declared COVID-19 emergency under the supervision of a licensed or registered nurse; or
- The individual's competency has been established by one of the following:
  - The successful completion of the state nurse aide examination;
  - Certification by a site administrator responsible for assessing the individual's competency skills as part of an approved apprenticeship program; or
  - Through an assessment in all areas of required nurse aide training as provided for in 42 CFR 483.152(b) (relating to requirements for approval of a nurse aide training and competency evaluation program) by the hiring entity.

Individuals who meet the eligibility provisions outlined in Senate Bill 1268 shall be deemed to have completed all nurse aide training and competency evaluation program requirements and will be placed on the state nurse aide registry.

This act shall take effect immediately.

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## **FISCAL IMPACT**

Senate Bill 1268 will have no adverse fiscal impact on Commonwealth funds. The Department of Education reviews and approves nurse aide training and competency evaluation programs, and any costs related to the changes outlined by this legislation can be accommodated within the department's current workload and budget.

To assist nursing homes and long-term care facilities in hiring due to staffing shortages brought on by COVID-19, the federal government waived some requirements for nurse aides as a condition of their employment. However, the completion of a training and competency evaluation program were still mandatory. Throughout the course of the emergency declaration, the Department of Health has directed individuals seeking to be hired as nurse aides to complete an online training program by the American Health Care Association. This training and testing have been provided at no cost during the emergency declaration to prospective nurse aides.