

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 1102

PRINTER NO. 1564

AMOUNT

Minimal Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 12, 2024

PRIME SPONSOR

Senator Argall

DESCRIPTION

Senate Bill 1102 amends the Nurse Aide Resident Abuse Prevention Training Act to increase the availability of long-term care training courses for nurse aides and to expand eligibility for individuals to take the nurse aide competency exam.

The bill requires the Department of Education (department) to:

- Develop and implement a long-term care curriculum for nurse aides;
- Establish qualifications for individuals, who must at least be a registered nurse (RN) or a licensed practical nurse (LPN) under the supervision of an RN, to conduct trainings of the long-term care curriculum;
- Establish a training program to implement a train-the-trainer model to deliver the long-term care curriculum to nurse aides; and
- Review applications for approval to establish a nurse aide training program within 45 days of receipt of the application, or within 15 days of receiving a revised application. Failure by the department to act on the application within the time frame shall deem the application approved.

The bill requires an RN providing training to a nurse aide, or supervising an LPN training a nurse aide, to have a minimum of two years of nursing experience with at least 12 months of employment in a long-term care nursing facility.

The bill permits an individual to become a nurse aide by:

- Completing either a state-approved nurse aide curriculum and training program or the long-term care curriculum for nurse aides and passing the nurse aide competency examination;
- Graduating from an accredited RN or LPN program and passing the nurse aide competency examination; or
- Being a student nurse or graduate nurse who has completed courses through a nursing program that is equivalent to the requirements of the nurse aide training program and passing the nurse aide competency examination.

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The bill requires the nurse aide competency examination to consist of:

- A written portion for which the individual may choose to take either in person or remotely online; and
- A skills-demonstrated portion administered at a site by an instructor approved by the department.

Senate Bill 1102 permits nurse aides to choose to take competency evaluations where they are employed or will be employed, unless federal law precludes the facility from being used.

The bill permits the department to allow facility personnel to proctor the evaluation as long as the facility ensures the evaluation program is secure from tampering, is standardized and is scored by a department-approved organization and not any facility personnel.

The bill prohibits the department from imposing a waiting period between approval of the training program and offering training online for state-approved nurse aide programs.

Sections 3.1(1), (2) and (3) take effect in one year, Section 3.2(b) takes effect in 60 days, and the remainder of the act takes effect in 30 days.

FISCAL IMPACT:

According to the Department of Education, enactment of Senate Bill 1102 will have a minimal fiscal impact. Any additional expenses that may be incurred by the Department of Education are expected to be handled within the department's existing budget and staffing levels.