

***Long Term Care Certified Nurse Aide
Instructor/Coordinator Certification Workshop
Oklahoma Dept. of Career & Technology
Education
October 14, 2016***



Nurse Aide Registry

Oklahoma State
Department of Health

Nurse Aide Registry
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Health Facility Surveyor

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***Number of Nurse Aide Training
Programs
as of October 14, 2016***

LTCA	HHA	DDDCA	RCA	ADCA
133	0	11	1	0

CMA	CMA/GM	CMA/IA	CMA/R	CMA/RG	CMA/CEU
47	2	20	2	25	35

The Nurse Aide Registry (NAR) contracted by the Centers for Medicare and Medicaid Services to review and approve Nurse Aide Training Programs (NATP). The Code of Federal Regulations (CFR) at Title 42, Section (§) 483.151(b)(1)(iii), requires onsite reviews for other than the initial review. The State may not grant approval of a NATP for a period longer than 2 years, 42 CFR § 483.151(d).

Onsite Surveys

- **Onsite surveys are unannounced!**

This is the reason we ask you your Book current, and staff prepared to be able to pull student files.

- The onsite survey should be able to be performed whether the Instructor or Supervisor is there.

Onsite Surveys

- Therefore, it is very important to have all staff trained on where your records are kept and what information will be requested for survey.
- You may get a phone call to verify if you have any upcoming meetings in the next couple of months.

Onsite Surveys

- You should expect to have an onsite survey within a couple of months of your program's expiration.
- At this time, all programs are being surveyed.
- Your programs will continue to remain approved, even if we are unable to do onsite survey.

310:677-3-8(d)

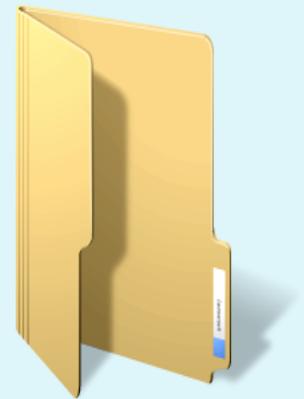
- (d) The program shall retain the following records for each trainee for at least three (3) years:
 - (1) The Trainee's Application for the training program.
 - (2) Performance records, the Skills Performance Checklist and Training Verification Form.
 - (3) Nurse aide competency and examination results.
- (e) The training program shall provide copies to the nurse aide registry of any individual nurse aide training records that may be requested by the Department.
- **[Source: Added at 12 Ok Reg 3087, eff 7-27-95; Amended at 19 Ok**

Problems Found During Onsite Surveys

- Training records not complete
- Affirmation of 16 hours not being documented. Some Health Careers programs are documenting excessive hours
- Skills Performance Checklist not signed and dated. Some of skills not performed

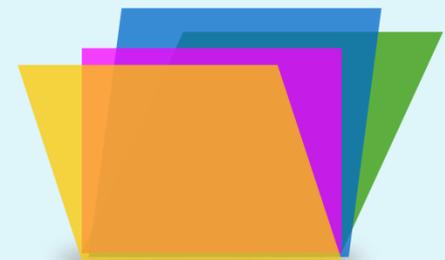
Student Files Must Include:

- **Enrollment Application** (We know some HS will not have them in the file.)
- **Copy of identification**
- **Signature sheet from Student Handbook**
- **Affirmation of 16 hours**
- **Skills Performance Checklist**



Student Files Must Include:

- Training Program not providing the hours they are approved for.
- Training Verification Form with training portion completed
- Affidavit of Lawful Presence
- Clinical Skills Exam



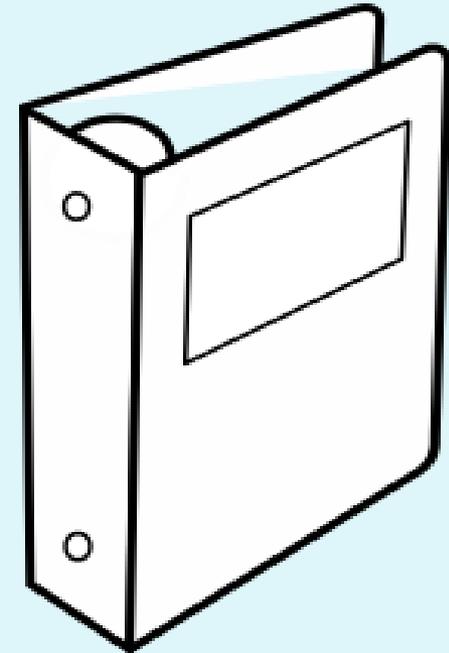
New Forms Coming Soon!

- Master Schedule for Long Term Care
- Master Day Schedule – Shows Date, Hours(Time Class Starts & Ends), Instructor for each day, and type of training (theory, lab, or clinical)
- Trainee Daily Sign in Sheet – Shows Date Hours (Time Class Starts & Ends), Instructor's Name and total hrs. for the day.
- New Corrective Action Plan for any deficiencies found.

TRAINING PROGRAM BINDER

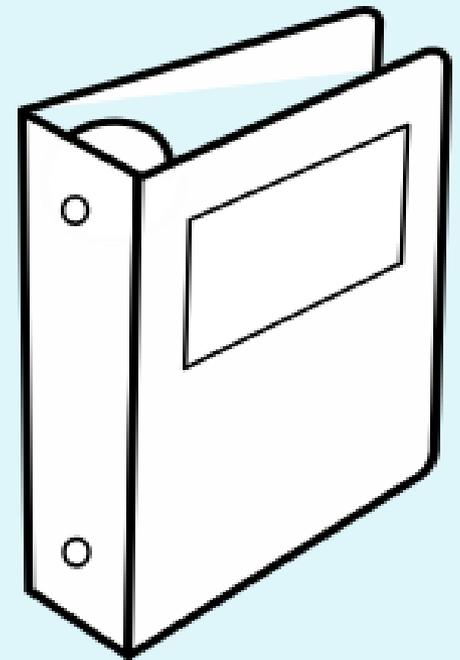
Information Sheet

- Training Facility Code
- Type of Training Program
- Number of Hours
- School Name and Address
- Training Program Coordinator, Phone, Email, fax number



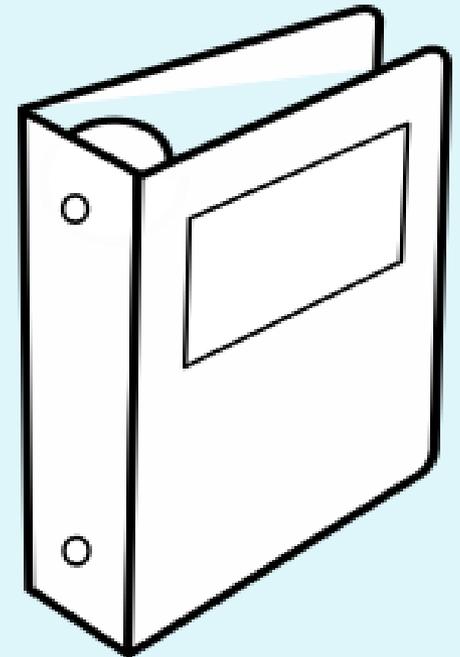
TRAINING PROGRAM BINDER

- RN Training Supervisor, Phone, Email, fax number
- Location of Administrative Office
- Location of Classroom
- Location of Laboratory
- Location of Testing Records
- Location of Training Program Records



TRAINING PROGRAM BINDER APPLICATION (TAB 1)

- Approval Letter from OSDH
- **B 1)** Application (Original)
- All correspondence from OSDH



TRAINING PROGRAM PERSONNEL (TAB 2)

Hiring procedures for ensuring Chapter 677 requirements are met when hiring RN training supervisor and instructors.

- **RN Training Supervisor**- Job description, RN license, resume' documenting required experience for program
- **Instructor** - Job description, current nursing license, resume' documenting required experience for program
- **CSO'S** - current nursing license, resume' documenting required experience

CLINICAL SITES (TAB 3)

- For each site: Clinical Agreements (currently used sites only).
- Private sites: If you will be using a career technology center to test your students you will need a contract with the tech center you will be using. They must state that they will test your students and what the wait period will be to be tested.
- Copy of student ID tag.

INSTRUCTIONAL ORGANIZATION (TAB 4)

- **Curriculum** – to be complete, hours to match hours stated in student handout
- **Student Handbook** – Program requirements, policies and procedures, requirements for certification and employment, rights and responsibility, signature page that student signs stating they have read and understand their rights and responsibilities, and they will need to be aware of the test site you have contracted with and the wait time it may take to test.

Notification of Changes in Program

An approved program shall notify the Department in writing before making substantive changes:

***PLEASE USE NOTICE OF
CHANGE TO NOTIFY
DEPARTMENT OF CHANGES***

Changes in Program cont.

- Change in administrative offices
- Change in requirements or procedures for selection of instructors
- Change in curriculum
- A different legal entity sponsoring the program
- A change in location of the class, clinical training site or laboratory

Notice of Change

- You will need to send in advance of the change you are wanting to make.
- Notice of Change will require an onsite visit before the change can be approved if there is a change in location of training program or administrative offices.

Prohibition of Training

- A training and competency examination program shall not be offered by or in a facility which, within the previous 2 years:
 - Has had Substandard Quality of Care
 - Request copies of the CMS 2567 or access them at the clinical site

Enforcement Preventing Training

- RN staffing waiver
- Civil Money penalty of \$5000.00 or more
- Operating License revoked
- Medicaid certification terminated
- (The Department may withdraw approval to train if result of care def's)

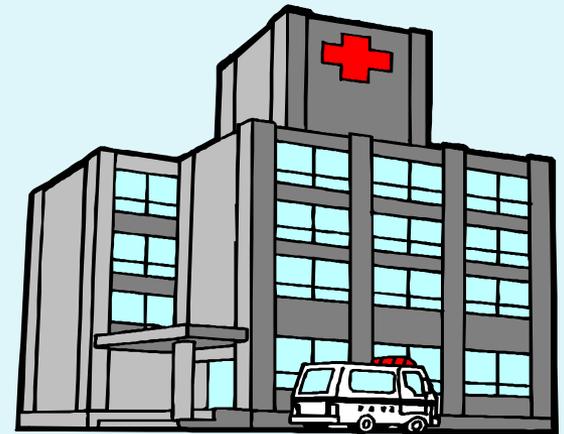


Enforcement Preventing Training

- A facility cannot be used as a clinical training site if the facility has had Substandard Quality of Care within the previous two (2) years.
 - 42 CFR 483.13, Resident Behavior and Facility Practices
 - 42 CFR 483.15, Quality of Life
 - 42 CFR 483.25, Quality of Care.

Enforcement Checks

- Please submit requests for enforcement checks on facilities by e-mail to JasonN@health.ok.gov
- Enforcement checks are coming in constantly from programs, so please be aware that it may take at least a week to hear back from the Department.



IMPORTANT NOTICE REGARDING NEW LAW CHANGE



- **New law (HB1435) starting November 1, 2015**, requires certified nurse aides (CNAs) and trainees to provide their current address to the State Department of Health's Nurse Aide Registry and notify the Registry of any change in address within ten days. Correspondence will be sent to the address on file with the Registry and if it is returned as not deliverable it will be considered legally served.
- **The new law** permits the Department to suspend or revoke a nurse aide certification for cause, such as criminality revealed by a background check or any abuse, neglect, or exploitation of residents under the aide's care.

***Bullet Points of Changes to
Title 63 O.S., Section 1-1951(A)(7), (D)(3)(b), and (D)(8).***

- CNAs shall maintain with the Registry current residential addresses and shall notify the Registry, in writing, of any change of name. Notification of change of name *shall require certified copies* of any marriage license or other court document which reflects the change of name.
- Notice of change of address or telephone number shall be made *within ten (10) days of the effected change. Notice shall not be accepted over the phone.*

***Bullet Points of Changes to
Title 63 O.S., Section 1-1951(A)(7), (D)(3)(b), and (D)(8).***

- In any proceeding in which the Department is required to serve notice or an order on an individual, the Department may send written correspondence to the address on file with the Registry. If the correspondence is returned and a notation of the United States Postal Service indicates “unclaimed” or “moved” or “refused” or any other non-delivery markings and the records of the Registry indicate that no change of address as required has been received by the Registry, the notice and any subsequent notices or orders shall be deemed by the court as having been legally served for all purposes.

Bullet Points of Changes to Title 63 O.S., Section 1-1951(A)(7), (D)(3)(b), and (D)(8).

- Basically this means CNAs must mail a change of address or phone number to the registry *within 10 days of that change*. There will be a form on our website for submitting address changes <http://nar.health.ok.gov>
- If an CNA is served a Petition for Hearing and it comes back to the Department and indicates “unclaimed” or “moved” or “refused” or any other non-delivery markings, it will still be considered legally delivered and any pending action can proceed. This may result in the individual’s certification being suspended or revoked and a finding of abuse, misappropriation, or neglect placed on the Registry.

Barrier Convictions

- Barrier crimes for nurse aides changed effective November 1, 2012. See [63 O.S. 2012, § 1-1950.1](#) Keep in mind that the new law tiers the barriers based on “Completion of sentence” which means the last day of the entire term of the incarceration imposed by the sentence including any term that is deferred, suspended or subject to parole. See [63 O.S. 2012, § 1-1950.1\(A\)\(5\)](#)
- ******Change in deferrment!!! Now is when the deferment has been completed!!!**

Barrier Convictions

- 63 O.S. 2012, § 1-1950.1(C)(2) If **less** than seven **(7) years** have elapsed since the **completion of sentence**, and the results of a criminal history check reveal that the subject person has been convicted of, or pled guilty or no contest to, a felony or misdemeanor offense for any of the following offenses, in any state or federal jurisdiction, the employer shall not hire or contract with the person:

Barrier Convictions

- The good news for many is that if someone has a conviction of “*Possession of Controlled Dangerous Substance*” and no other disqualifying offense, **they are no longer barred from employment.**

Barrier Convictions

Here the amended list of Nurse Aide Barrier Convictions *Effective November 1, 2012* 63 O.S. 2012, § 1-1950.1(C)

C. 1. If the results of a criminal history background check reveal that the subject person has been convicted of, pled guilty or no contest to, or received a deferred sentence for, a felony or misdemeanor offense for any of the following offenses in any state or federal jurisdiction, the employer shall not hire or contract with the person:

Barrier Convictions

- a. abuse, neglect or financial exploitation of any person entrusted to the care or possession of such person,**
- b. rape, incest or sodomy,**
- c. child abuse,**
- d. murder or attempted murder,**
- e. manslaughter,**
- f. kidnapping,**
- g. aggravated assault and battery,**
- h. assault and battery with a dangerous weapon, or**
- i. arson in the first degree.**

Barrier Convictions

2. **If less than seven (7) years have elapsed since the completion of sentence, and the results of a criminal history check reveal that the subject person has been convicted of, or pled guilty or no contest to, a felony or misdemeanor offense for any of the following offenses, in any state or federal jurisdiction, the employer shall not hire or contract with the person:**
 - a. **assault,**
 - b. **battery,**
 - c. **indecent exposure and indecent exhibition, except where such offense disqualifies the applicant as a registered sex offender,**
 - d. **pandering,**

Barrier Convictions

- e. burglary in the first or second degree,**
- f. robbery in the first or second degree,**
- g. robbery or attempted robbery with a dangerous weapon, or imitation firearm,**
- h. arson in the second degree,**
- i. unlawful manufacture, distribution, prescription, or dispensing of a Schedule I through V drug as defined by the Uniform Controlled Dangerous Substances Act,**
- j. grand larceny, or**
- k. petit larceny or shoplifting.**

Oklahoma Long Term Care National Background Check Program

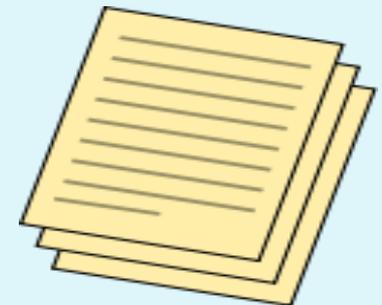
- Oklahoma National Background Check Program
1000 NE 10th Street
Oklahoma City, OK 73117
Phone # (405) 271-6868
- Susan Daniels, Administrative Assistant



TEST SITES



- Only mail copies of Qualified Alien Affidavits and related verification documents of students who **pass** their test to the Nurse Aide Registry.
- US Citizen Affidavits **will not** need to be mailed in.



If you have any questions:

Please contact:

Jason Noreen, Health Facility Surveyor

Nurse Aid Registry

JasonN@health.ok.gov

(405) 271-4085

