

***Long Term Care Certified Nurse Aide  
Instructor/Coordinator Certification Workshop  
Oklahoma Dept. of Career & Technology  
Education  
February 2, 2022***



**OKLAHOMA  
State Department  
of Health**

# **Nurse Aide Registry**

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***Administrative Programs  
Manager***

The Nurse Aide Registry (NAR) is 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 (On Hold)*

- **Onsite surveys are unannounced**

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

- The onsite survey should be able to be performed whether the coordinator, instructor, or RN Supervisor is there

## *Onsite Surveys, cont.*

- 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 or e-mail to check your availability

## *Onsite Surveys, cont.*

- You should expect to have an onsite survey within a few of months of your program's expiration
- If the department is unable to perform an onsite review by the approval expiration date, your program(s) will remain approved

# 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**

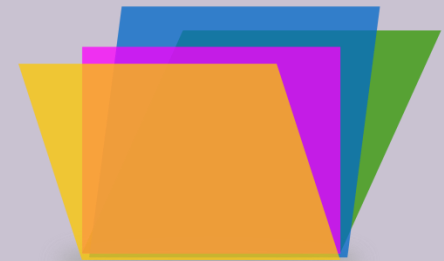
# *Student Files Must Include:*

- **Enrollment Application** (We know some HS will not have them in the file.)
- **Copy of identification**
- **Sign-in/attendance sheets documenting approved program hours**
- **Signature sheet from Student Handbook**
- **Affirmation of 16 hours**



# *Student Files, cont.*

- Training Verification Form with training portion completed
- Clinical hours documentation
- Skills Performance Checklist
- Affidavit of Lawful Presence

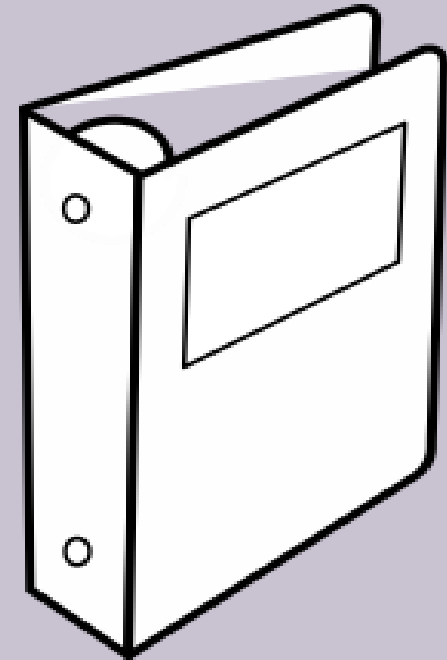




# TRAINING PROGRAM BINDER

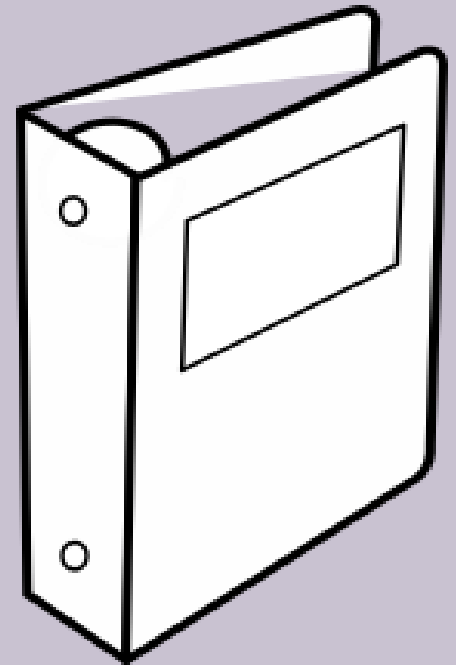
## Information Sheet

- Training Facility Code
- Type of Training Program
- Number of Hours
- School Name and Address
- Training Program Coordinator, Phone, E-mail, Fax number



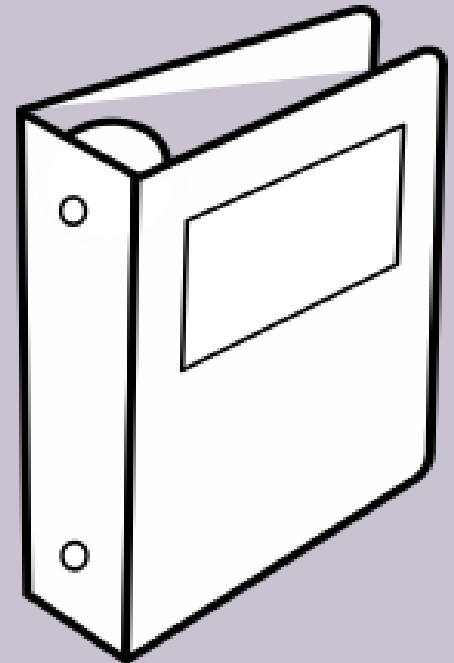
# TRAINING PROGRAM BINDER, cont.

- 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 Coordinator and/or RN Supervisor
- 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*

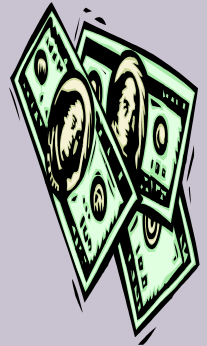
- You will need to send in advance of the change you are wanting to make
- Notice of Change will require an onsite visit before the change can be approved if there is a change in location of training program or administrative offices

# *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 \$11,292.00 or more
- Operating License revoked
- Medicaid certification terminated
- (The Department may withdraw approval to train if result of care def's)

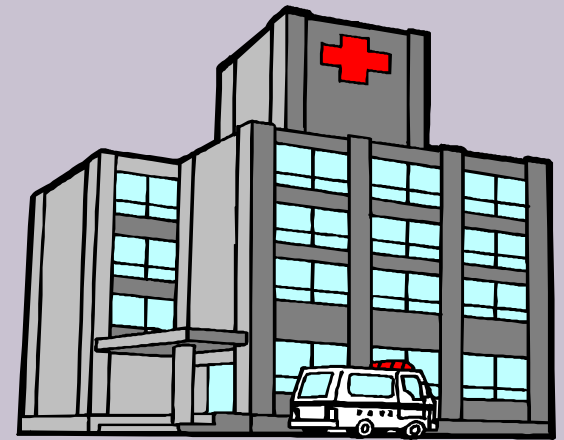


# *Enforcement Preventing Training*

- 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](mailto: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



# *Problems Found During Onsite Surveys (2020)*

- Skills Performance Checklist not signed/dated or are lined down through. Some of skills not performed
- Documentation of clinical training hours missing
- Copy of nursing licenses not current; missing resumes
- Approved training program hours are not being met. Must have sign-in/attendance sheets documenting minimum approved hours
- Make up training for students are not being performed
- Notice of Change forms not being sent in prior to change

# *Problems Found During Onsite Surveys*

- Skills Performance Checklist – Not Teaching Restraints

**Actual Nursing Home Violation Tag**

**1-O.S. 63-1-1918(B)(12) Rights and Responsibilities – Violations**

Every resident shall be free from mental and physical abuse and neglect, as such terms are defined in Section 10-103 of Title 43A of the Oklahoma Statutes, corporal punishment, involuntary seclusion, and from any physical and chemical restraints imposed for purposes of discipline or convenience and not required to treat the resident's medical symptoms, except those restraints authorized in writing by a physician for a specified period of time or as are necessitated by an emergency where the restraint may only be applied by a physician, qualified licensed nurse or other personnel under the supervision of the physician who shall set forth in writing the circumstances requiring the use of restraint. Use of a chemical or physical restraint shall require the consultation of a physician within twenty-four (24) hours of such emergency;

# *Problems Found During Onsite Surveys, cont.*

**Since we're here...**

## **CMA Findings (2020):**

- Med Pass not complete (less than 20 individuals)
- Skills Performance Checklist missing or incomplete (not signed, dated, some skills not performed, lined down)
- Documentation of clinical training hours missing
- Advanced CMA demonstration checklists missing or not all checklists are being used
- 1<sup>st</sup> year CMAs taking CEUs (they do not need CEUs 1<sup>st</sup> year)
- Approved training program hours are not being met. Must have sign-in/attendance sheets documenting minimum approved hours
- Make up training for students are not being performed



# Certification Cards/Wallet Cards

- The Nurse Aide Registry (NAR) has changed the process regarding certification cards being sent to long term nurse aides (LTC), certified medication aides (CMA) including advanced CMA classifications, home health aides (HHA), developmentally direct care aides (DDCA), residential care aides, (RCA), adult day care aides (ADA) and feeding assistants (FA)
- Certification cards are no longer sent to the aide when the aide renews their certification or registration

# Certification Cards/Wallet Cards, cont.

- Employers and aides are to verify the status of certification(s) on the Nurse Aide Registry website with the Verification of Certification at:

<https://www.phin.state.ok.us/NARSWBSearch/Views/LandingView.aspx?id=4409>

- Certification(s) can be verified and printed from this site

*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),  
cont.*

- 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),  
cont.*

- 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

## 310:677-3-7. Criminal arrest checks

- (a) An employer based program shall complete the State required criminal arrest check. The record of the finding shall be maintained by the employer. These records shall be destroyed after one (1) year from the end of employment of the person to whom such records relate. [63:1-1950.3(H)]
- (b) A non-employer based program shall notify trainees that if a criminal arrest check reveals a cause which bars employment in a health care entity, then the **trainee shall be withdrawn** from the training program
- (c) If a non-employer based training program does not require an OSBI criminal arrest check as part of the admission requirements to the training program, the training program shall provide the trainee with written notification of 63:1-1950.1 as part of the training program application

# 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\(A\)\(5\)](#)

# Barrier Convictions, cont.

- [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, cont.

- *“Possession of Controlled Dangerous Substance”* and no other disqualifying offense, they are no longer barred from employment

# Barrier Convictions, cont.

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, cont.

- 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, cont.

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, cont.

- 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  
123 Robert S. Kerr Avenue  
Oklahoma City, OK 73102  
Phone: (405) 426-8151

# COVID-19 Emergency Training Waivers and Certification Renewal Waivers

- Facility emergency training waiver extended to 12/31/21
  - All facility-trained uncertified aides ***must be tested/certified by 12/31/21***
  - To test: trainee must have an approval letter from NAR

# Questions?





If you have any other questions:

Please contact:

*Jason Noreen, Administrative Programs Manager*

*Nurse Aide Registry*

*JasonN@health.ok.gov*

*(405) 250-5094*

