The North Carolina Nurse Aide

Jesse Goodman, Acting Chief Operating Officer
North Carolina Division of Health Service Regulation
February 25, 2010
§ 131E-255. Nurse Aide Registry

(a) Pursuant to 42 U.S.C. § 1395i-3(e) and 42 U.S.C. § 1396r(e), the Department shall establish and maintain a registry containing the names of all nurse aides working in nursing facilities in North Carolina. The Department shall include in the nurse aide registry any findings by the Department of neglect of a resident in a nursing facility or abuse of a resident in a nursing facility or misappropriation of the property of a resident in a nursing facility by a nurse aide.
Overview

• Nurse aide is federally defined – Any individual providing nursing or nursing-related services to residents in a facility who is not a licensed health professional, a registered dietitian, or someone who volunteers to provide such services without pay. 42CFR483.75(e)

• Other names used among various groups include CNA, certified nurse aide, nursing assistant.

• Nurse aides must hold a current listing on the NC Nurse Aide I Registry.
NC and Federal Requirements for Nurse Aide I Registry Listing

• Successfully complete either a state-approved Nurse Aide I Training and Competency Evaluation Program or a state-approved Nurse Aide Competency Evaluation Program (42 CFR 483 Subpart B 483.75(e); 42 CFR 483 Subpart D 483.150-158)

• May renew by working a minimum of 8 hours during every 24 months as long as the work is 1) for pay, 2) as a nurse aide, and 3) supervised by a registered nurse

• Active Nurse Aides FY 08-09 - 110,726
Registry Verifications

• Before allowing an individual to serve as a nurse aide, a skilled nursing facility must receive registry verification that the individual has met competency evaluation requirements.

  42 CFR 483, Subpart B 483.75, 42 CFR 483.13 (c)(1)(ii)(B)

• Verification confirmations given in FY 08-09 – 650,279
Federal Requirements for Nurse Aide I Training (NAT) Programs

42CFR483.151-152

• State must review and approve or disapprove NAT programs upon request
• State must withdraw programs that do not meet applicable requirements
• Approval good for 2 years
Federally Required Content for Nurse Aide I Training Programs

- Communication skills, infection control, safety/emergency procedures
- Promoting residents’ independence and rights
- Basics nursing skills
- Personal care skills
- Mental health and social service needs
- Care of cognitively impaired residents
- Basic restorative services

Source: 42CFR483.152
Nurse Aide I Model Curriculum

- Developed in 1997 by DHSR in response to the federal regulations
- Updated in 2002; continued to reflect federal requirements, updated skills/procedures
- Research and stakeholder feedback began in 2009 to prepare for next revision
Representatives from the following stakeholder groups were involved in curriculum development:

- NC State Board of Nursing
- Nurse Aide Registry & Certification Sections of the Division of Health Service Regulation
- NC Health Care Facilities Association
- Beverly Enterprises - Star Mount Villa
- Mayview Convalescent Center
- NC Association for Home Care, Inc.
- NC Nurses Association
- NC Community College System Office
- NC Hospital Association
North Carolina State-approved Nurse Aide I Training Programs:

- Include all content required by federal government.
- Follow extensive curriculum developed by North Carolina or follow the North Carolina curricular requirements (www.ncnar.org).
- Require student proficiency in 69 skills.
**NC state-approved** programs follow or exceed federal requirements:

<table>
<thead>
<tr>
<th>Federal Curricular Hourly Requirements for Nurse Aide I Training</th>
<th>State-Approved Program Averages (data sampled)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Total - 75</td>
<td>Average Total – 142</td>
</tr>
<tr>
<td>Requirement includes at least 16 hours of supervised practical training (simulated lab or clinical experience)</td>
<td>Average hours supervised simulated lab – 48</td>
</tr>
<tr>
<td></td>
<td>Average hours of clinical experience - 43</td>
</tr>
</tbody>
</table>

*includes community college, licensed proprietary schools, hospitals, & nursing facilities*
### Other Training Programs

<table>
<thead>
<tr>
<th>Type</th>
<th>Content</th>
<th>Hours</th>
<th>Average Training Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nurse Aide I Refresher courses (taught at community colleges and licensed proprietary schools)</td>
<td>Reviews basic nurse aide knowledge and skills (for previously listed aides &amp; out-of-state aides)</td>
<td>Varies – approximately 27 hours</td>
<td>$150 (plus books + various fees)</td>
</tr>
<tr>
<td>NC Schools of Nursing (Memorandum of Understanding between NC Board of Nursing (BON) and NC Division of Health Service Regulation)</td>
<td>Covers state curriculum within nursing courses</td>
<td>Point which approved school’s curriculum meets all federal and state requirements for Nurse Aide I training</td>
<td>No additional cost to enrollees</td>
</tr>
<tr>
<td>NC Public High Schools (Memorandum of Understanding between NC Department of Public Instruction and NC Division of Health Service Regulation)</td>
<td>Covers state curriculum within health science courses</td>
<td>180-360 (40 clinical hours)</td>
<td>Free to enrollees</td>
</tr>
<tr>
<td>Non-approved, unlicensed, private classes/courses &amp; schools</td>
<td>Varies, no minimum classroom content; anecdotal information reveals “test prep” type classes focusing on 25 testing skills rather than content/skills required in state-approved training</td>
<td>Varies, no minimum; anecdotal information reveals range of a few hours to one day to several classes; many known as “fast track” classes</td>
<td>Anecdotal information reveals $200 - $800, depending on length of class</td>
</tr>
</tbody>
</table>
# Types and Numbers of State-approved NA I Training Programs

<table>
<thead>
<tr>
<th>School type</th>
<th>Number of State approved programs</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Schools</td>
<td>212</td>
</tr>
<tr>
<td>Community Colleges</td>
<td>162</td>
</tr>
<tr>
<td>Schools of Nursing</td>
<td>110</td>
</tr>
<tr>
<td>Proprietary Schools</td>
<td>20</td>
</tr>
<tr>
<td>Nursing Homes</td>
<td>12</td>
</tr>
<tr>
<td>Mental Health-State</td>
<td>3</td>
</tr>
<tr>
<td>Adult Care Homes</td>
<td>1</td>
</tr>
<tr>
<td>Hospitals</td>
<td>0</td>
</tr>
</tbody>
</table>
Federal Requirements for Competency Evaluation  
(42CFR483.154)

• Choice of written or oral exam
• All course requirements in 42CFR483.152 addressed
• Demonstration of randomly drawn skills
• Skills performed in a lab setting comparable to setting of aide employment
• Evaluator is an RN with experience caring for elderly or chronically ill of any age
• Individual has 3 chances to take the exam
North Carolina Competency Evaluation Guidelines include:

- All federal guidelines/requirements.
- Required training or re-training in a state-approved program for any tester failing competency evaluation three times, before re-testing a fourth time.
NC Nurse Aide Competency Exam

• Administered by Pearson VUE, a nationally and internationally recognized leading provider of assessment services to regulatory agencies and national associations

• Uses the *National Nurse Aide Assessment Program (NNAAP)*, developed and owned by the National Council of State Boards of Nursing, Inc.
NNAAP Exam

• National exam which measures minimal competence of entry-level nurse aides in their knowledge, skills, and abilities
• Written (also available as oral English and oral Spanish) and skills (performance) component
• Skills component: candidates must successfully complete five (5) randomly selected skills within 30 minutes
• Candidate cost to take exam - $96
• Exam is legally defensible
• Candidates who fail three times are required to complete state-approved training in order to continue testing
• Number of tests administered FY 2008-09 – 23,829
  (number includes repeaters)
Passing Rates Percentages (%) by Type Tested (6/1/08 – 12/31/09)

**Group 1:** State-approved training

**Group 2:** Refreshers

**Group 3:** MOU Schools (HS/SON)

**Group 4:** Test-out/Non-approved training

![Passing Rates Chart](chart-image)
Federal Requirements for Nurse Aide Inservice Training

• The skilled care facility must complete a performance review of every nurse aide at least once every 12 months, and must provide regular inservice education based on the outcome of these reviews.

• The inservice training must be sufficient to ensure the continuing competence of nurse aides, but must be no less than 12 hours per year and based on performance review and special needs of residents. 42CFR483(e)(8)
In response to the federal regulations, the agency developed Continuing Education Modules to assist facilities in meeting the inservice requirements. Topics include:

- A More Empathic You
- Advanced Communication
- Being Part of a Team
- Fecal Impaction and Hydration
- Infection Control
- Me, Myself and I
- Prevention of pressure ulcers
- Principles of Adult Learning
The agency continues to work collaboratively with numerous professional and industry stakeholders:

- North Carolina Board of Nursing
- National Council for State Boards of Nursing
- NC Division of Aging
- Direct Care Workers Association
- NC-NOVA
- NC Department of Public Instruction
- NC Community College System Offices of Proprietary Schools & Continuing Education
- NC Health Care Facilities Association
### Nurse Aides - Supply & Demand


<table>
<thead>
<tr>
<th></th>
<th>2006 employment</th>
<th>2016 projections</th>
<th>Demand (number needed)</th>
<th>Percent change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nurse Aides</td>
<td>21,780</td>
<td>28,360</td>
<td>6,580</td>
<td>30%</td>
</tr>
<tr>
<td>Home Health Aides</td>
<td>72,130</td>
<td>99,990</td>
<td>27,860</td>
<td>39%</td>
</tr>
<tr>
<td>Personal &amp; Home Care Aides</td>
<td>18,350</td>
<td>32,250</td>
<td>13,900</td>
<td>76%</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>112,260</strong></td>
<td><strong>160,600</strong></td>
<td><strong>48,340</strong></td>
<td><strong>43%</strong></td>
</tr>
</tbody>
</table>

*Note: in NC, the majority of Home Health Aides, Personal and Home Care Aides are also Nurse Aides*
<table>
<thead>
<tr>
<th>Employment Setting</th>
<th>Number Employed</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Health/Home Care (includes nursing pools)</td>
<td>26524</td>
<td>24%</td>
</tr>
<tr>
<td>Other*</td>
<td>23909</td>
<td>21%</td>
</tr>
<tr>
<td>Nursing Homes</td>
<td>22432</td>
<td>20%</td>
</tr>
<tr>
<td>Hospital/Hospice/Mental Health</td>
<td>18060</td>
<td>15%</td>
</tr>
<tr>
<td>Not employed in health care</td>
<td>11097</td>
<td>10%</td>
</tr>
<tr>
<td>Adult/Family Care Home</td>
<td>6739</td>
<td>6%</td>
</tr>
<tr>
<td>Clinics (health dept, health clinics, MD offices and dialysis centers)</td>
<td>2933</td>
<td>3%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>111694</td>
<td></td>
</tr>
</tbody>
</table>

*Other includes categories such as private duty, military/VA facilities, schools, Native American Indian Reservations, adult daycare, cardiac rehab & ambulatory surgery
Employment Settings for Nurse Aide I

- Home Health/Care: 24%
- Other: 21%
- Nursing Homes: 20%
- Hosp/Hospice/MH: 16%
- Not in health care: 10%
- Adult/Family Care Home: 6%
- Home: 3%
- Clinic: 2%

Source: Employment Breakdown Report, Center for Aide Regulation and Education
Duties for Nurse Aide I

Job duties approved by the Board of Nursing include, but are not limited to, basic nursing tasks within the following categories:

- Personal Care (Activities of Daily Living)
- Body Mechanics
- Nutrition
- Elimination
- Safety
- Special Procedures

The Registered Nurse is ultimately responsible for determining competence of the aide before delegating nursing or nursing-related tasks.
### Expanded Role of the Nurse Aide I in North Carolina

<table>
<thead>
<tr>
<th>Type</th>
<th>Listing Requirements</th>
<th>Duties (requires RN supervision)</th>
<th>Number Active</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medication Aide</td>
<td>• 24-hour Board of Nursing (BON) approved course&lt;br&gt;• State Med Aide Exam</td>
<td>Performs technical aspects of medication administration for certain types of medicines</td>
<td>1889&lt;br&gt;(2/12/09)</td>
</tr>
<tr>
<td>Geriatric Aide (began in 2009)</td>
<td>• State-approved Geriatric Aide course&lt;br&gt;• Must be listed on Nurse Aide I Registry</td>
<td>Learn new concepts to help older adults: dementia/challenging behaviors, death/dying, stress management</td>
<td>22&lt;br&gt;(2/12/09)</td>
</tr>
<tr>
<td>Nurse Aide II (managed by BON))</td>
<td>• Must be listed on Nurse Aide I Registry&lt;br&gt;• BON approved course&lt;br&gt;• No substantiated findings&lt;br&gt;• Fee</td>
<td>Performs more complex nursing skills emphasizing sterile technique in elimination, oxygenation, nutrition</td>
<td>17,183&lt;br&gt;(2/12/09)</td>
</tr>
</tbody>
</table>
Health Care Personnel Registry Law

- Investigations of unlicensed health care workers began in 1992 with the investigations of nurse aides working in nursing homes in the areas of abuse, neglect, and misappropriation of property of nursing home residents - result of federal nursing home reform legislation (OBRA).
- GS 131E-256 expanded investigations & “findings” of the Nurse Aide I Registry; expanded types of reportable allegations and health care facilities reporting allegations and required names of individuals under investigation for any reportable allegation to be listed on the registry.
- In 1998, 1999, 2000, and 2008, expansions of the HCPR law increased the types of unlicensed health care personnel reported and the types of health care facilities that must report allegations.
- “Health care personnel” was defined as any unlicensed staff of a health care facility that has direct access to residents, clients, or their property.
- Facilities must access the registry before hiring unlicensed staff. Most facilities, by rule, are prohibited from hiring individuals who have findings.
The Health Care Personnel Registry contains information about unlicensed health care workers for any of the following allegations:

- Resident abuse
- Resident neglect
- Misappropriation of property (from a resident or facility)
- Diversion of resident of facility drugs
- Fraud against a resident or facility
The following types of facilities are required to report allegations:

- Adult Care Homes
- Hospitals
- Home Care Agencies
- Nursing Pools
- Hospices
- Nursing Facilities
- State-Operated Facilities
- Licensable Facilities for mentally ill, developmentally disabled, and substance abusers
- Multiunit Assisted Housing with Services
- Community-Based Providers of Services for the mentally ill, developmentally disabled, and substance abusers
- Agencies providing in-home aide services funded through the Home and Community Care Block Grant Program
Pending Allegations and Substantiated Findings on the Health Care Personnel Registry

<table>
<thead>
<tr>
<th>As of June 30, 2009</th>
<th>Pending Allegations</th>
<th>Substantiated Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number</td>
<td>506</td>
<td>4,709</td>
</tr>
<tr>
<td>Total Individuals</td>
<td>367</td>
<td>3,491</td>
</tr>
</tbody>
</table>
For additional information go to agency’s website for the Center for Aide Regulation and Education at www.ncnar.org