FAQs for Secondary CNA Programs

1. What are the qualifications needed for CNA Instructors – Federal Code, DE requirements. 4132.2C-Instructor Qualifications

4132.2C - Instructor Qualifications

The training of nurse aides must be performed by or under the general supervision of a registered professional nurse, who possesses a minimum of 2 years of nursing experience, at least one year of which must be in the provision of long-term-care facility services.

In addition, instructors of nurse aides must have completed a course in teaching adults

or

have experience in teaching adults

or

have experience supervising nurse aides.

§ 483.152 Requirements for approval of a nurse aide training and competency evaluation program.

(5) Meet the following requirements for instructors who train nurse aides;

(i) The training of nurse aides must be performed by or under the general supervision of a registered nurse who possesses a minimum of 2 years of nursing experience, at least 1 year of which must be in the provision of long term care facility services;

(ii) Instructors must have completed a course in teaching adults **or** have experience in teaching adults **or** supervising nurse aides.

Career and Technical Education (CTE) Instructors

For High School credit only, teachers must be CTE endorsed. CTE teachers shall be registered, certified, or licensed in the occupational area in which the state requires registration, certification or licensure, and shall hold the appropriate registration, certificate, or licenses for the occupational area in which the instructor is teaching, and shall meet either of the two following qualifications:

1. A baccalaureate or graduate degree in the area or related area of study or occupational area in which the instructor is teaching classes.

OR

2. Special training and at least 6,000 hours of recent and relevant work experience in the occupational area or related occupational area in which the instructor teaches classes if the instructor possesses less than a baccalaureate degree.

For Community College courses and secondary concurrent enrollment courses, each instructor must also follow the guidelines listed above. Each community college must determine what constitutes recent and relevant work experience for CTE instructors. The 6,000 hours of recent and relevant work experience must be industry experience within the occupational area, not teaching experience. The determination of what constitutes each field of instruction or area of study is based on accepted practices of regionally-accredited two- and four-year institutions of higher education.

2. What requirements are needed for a student to participate in a secondary concurrent enrollment CNA course?

   Students can't be excluded from the program as per CNA requirements. If a CNA course is delivered through concurrent enrollment or PSEO, the student must meet eligibility requirements (e.g., proficient in reading, math, and science; meet any requirements set by the college) per Iowa Code Ch. 261E and 281—IAC 22.

3. Can HOSA membership be a requirement to taking the CNA course?

   If the membership fee is not charged to the student but paid by a separate entity, membership can be required. A district may not require a student to pay a student organization membership fee (see here).

4. Do students pay for their own testing or is it paid for by the school?

   Schools can pass along the cost of the test and the background check fee to the student, but full disclosure must be made to the students regarding these costs before the student signs up for the course.

   § 483.152 and § 483.154
   If an individual who is not employed, or does not have an offer to be employed, as a nurse aide becomes employed by, or receives an offer of employment from, a facility not later than 12 months after completing a nurse aide competency evaluation program, the State must provide for the reimbursement of costs incurred in completing the program on a pro rata basis during the period in which the individual is employed as a nurse aide.

   Nursing assistants who pay for the cost of their training and testing prior to employment are eligible for reimbursement. The nursing assistant has 1 year from completion of the test to turn in receipts requesting reimbursement. The facility has 90 days to reimburse the nursing assistant. If the nursing assistant does not remain employed as a nursing assistant for 90 days, the nursing home is under no obligation to reimburse the nursing assistant. The first nursing home the nursing assistant stays at for at least 90 days would then be responsible to reimburse the nursing assistant if it has been 1 year or less since completion of the test. Only certified nursing homes or boarding care homes are required to reimburse a nursing assistant.

5. What equipment is needed to offer a Program? Chapter 81

   81.16(3)d. Setting and equipment. The classroom shall have appropriate equipment, be of adequate size, and not interfere with resident activities.

   The classroom shall have appropriate equipment to train in all required curriculum topics.

   (Many questions arise as to whether a sink is needed in the classroom. Because of the many times a CNA must wash their hands during each procedure, a sink must be in close proximity to the lab).

6. Who should maintain the CNA paperwork?

   The paperwork should be maintained at the address identified on the nurse aide training application

7. Can a program be partially face to face and partially online?

   Yes. The theory portion can be online as long as the curriculum has been approved.
   Lab and clinicals need to be face-to-face.

8. How will the Direct Care Professional Certification affect CNA?

   Unknown at this time

9. How can LTC experience be earned?

   8 **consecutive** hours of paid employment in the provision of nursing or nursing relate services.

10. What are the background check requirements?

    See Senate File 2149 attached

11. Explain about the hours required for a CNA program
    a. 30 hour in the classroom – theory
    b. 15 hours in the lab
    c. 30 hours of clinical
    d. Define what an hour is

    An hour is defined as 60 minutes

12. How should snow days be handled?

    Secondary schools normally offer more days of classes than are required for the program. As long as the student meets the required number of minutes/hours (60 minute hours), snow days do not need to be reported to the college or to the Department of Inspections and Appeals.

13. Who is the Program Coordinator?

    The program coordinator is the person responsible for compliance with all state and federal regulations governing the nurse aide training program. This includes all instructors and classes taught under the approval number.

14. What is the clinical Ratio (Teacher to Student)?

    81.16(3)a(5)The ratio of qualified trainers to students shall not exceed one instructor for every ten students in the clinical setting

15. When does clinical time start?

    Clinical time starts when the student is on the floor ready to perform nurse aide duties.

16. What facilities can be used for clinical sites?

www.dia-hfd.state.ia.us
Documents
NURSE AIDE TRAINING & COMPETENCY EVALUATION PROGRAM
Nurse Aide Facility Denial list

17. What does the law say regarding students under the age of 18 operating equipment as a CNA?

Attachment A from the Wage and Hour Division Field Assistance Bulletin No. 2011-3 is below. This document should be given to all employees under the age of 18.

Assisting in the Operation of Power-Driven Patient/Resident Hoists/Lifts
Under the Child Labor Provisions of the Fair Standards Act

The federal child labor provisions, administered by the U.S. Department of Labor's Wage and Hour Division (WHD), were enacted to ensure that when young people work, the work is safe and does not jeopardize their health, well-being, or education. To protect young works, federal law directs the Secretary or Labor to prohibit the employment of anyone under the age of 18 in any industry or to perform any task that is determined to be particularly hazardous or detrimental to youth.

Once such prohibited task involves the operation of power-driven hoists. Although child Labor Hazardous Occupations Order No. 7 (*Occupations involved in the operation of power-driven hoisting apparatus) (*HO7)(29 CFR § 570.58) prohibits employees under 18 years of age from operating or assisting in the operation of power-driven hoists, the WHD will not charge a child labor violation when a 16- or 17-year-old employee **assists** a trained adult employee who is over the age of 18 years in the operation of floor-based vertical powered patient/resident life devices, ceiling-mounted vertical powered patient/resident lift devices, or powered sit-to-stand patient/resident lift devices when certain specific requirements have been met. Such lifts are often used in hospitals, nursing homes, and residences.

Your employer has identified you as a 16- or 17-year-old employee who may be called upon to assist in the lifting of a patient or resident using a power-driven lifting device. You can play an important role in executing safe and compliant patient/resident lifts and protecting your own health by being fully aware of what tasks you may and may not perform.

After you have successfully completed the 75 clock hours of nurses aide training required by the Federal Nursing Home Reform Act from the Omnibus Budget Reconciliation Act of 1987, or a higher state standard were applicable, and have successfully completed the nurses aide competency evaluated detailed in the federal regulation found at 42 CFR § 483.154, or a higher state standard where applicable, you may perform the following tasks while assisting an adult employee in the operation of power-driven patient/resident lifting devices:

- You may set up, move, position, and secure unoccupied lifting devices by yourself.
- You may **assist** in the lifting or transferring patients/residents using power-driven hoist or lifts as part of a trained team that is led by an adult employee. You may never engage in such activities by yourself until you are at least 18 years of age.
- As the junior member of the lifting team, you may **assist** a trained adult employee while he or she is engaged in attaching slings to an un-attaching slings from lifting devices prior to and after the lift/transfer of the patient/resident is completed.
- You may **assist** a trained adult employee in operating the controls that activate the power to lift/transfer the patient/resident.
- You may act as a spotter/observer and place position items such as a chair, wheelchair, bed, and commode under the patient/resident who is being lifted/transferred.
- You may **assist** a trained adult employee when he or she is simultaneously engaged in "hands on" physical contact with the patient/resident during the lifting/transferring process, such as placing or removing the sling, including pushing or pulling the sling under/around the patient/resident; adjusting the sling under/around the patient/resident and manipulating the patient/resident when placing, adjusting or removing a sling under/around the patient/resident.

- You may **assist** a trained adult employee while the adult employee is simultaneously engaged in manipulating, guiding, rotating or otherwise maneuvering the patient while the patient is being lifted/transferred.
- You may **assist** a trained adult employee while the adult employee is simultaneously pushing, pulling or rotating lifting devices when the device is engaged in the process of lifting/transferring a patient/resident.
- You may only **assist** in the "hands on" activities discussed above and may not engage in them by yourself.

Remember, until you are 18-years-old, you may not operate any floor-based vertical powered patient/resident lift devices, ceiling-mounted vertical powered patient/resident lift devices, or powered sit-to-stand patient/resident lift device by yourself.

If you have any questions about these requirements, are being asked to operate or assist in operating powered patient/resident lift devices in a manner that is not in compliance with these requirements or are injured while operating or assisting in the operation of a patient/resident lift device, call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4US-WAGE (1-866-487-9243). Your identity will be kept confidential to the maximum extent possible under existing law

For more information about the safe operation of patient/resident lifts, the federal child labor provisions, or any other labor standards administered by the WHD, please visit the WHD Web site: http://www.wagehour.dol.gov and/or call the toll-free information and helpline available 8 a.m. to 5 p.m. in your time zone, 1-866-4US-WAGE (1-866-487-9243).

18. What happens if a student under the age of 18 gets a "hit" during the background check?

At the current time, there is no recourse for a student under the age of 18. The Department of Human Services (DHS) will review cases for adults, but will not review cases for juveniles. A court case regarding this issue just happened recently in Iowa. It is unknown what the actual result of the case was, but the student was not allowed to participate in the CNA program.

Senate File 2149 - Enrolled

Senate File 2149

AN ACT

1 1 RELATING TO CRIMINAL HISTORY AND ABUSE REGISTRY CHECKS FOR
1 2 EMPLOYEES OF HEALTH CARE FACILITIES AND OTHER HEALTH=RELATED
1 3 PROVIDERS AND REQUIRING SUCH CHECKS FOR CERTIFIED NURSE AIDE
1 4 TRAINING PROGRAM STUDENTS AND PROVIDING A PENALTY.

1 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 6 Section 1. Section 135C.33, subsection 1, Code Supplement
1 7 2009, is amended to read as follows:
1 8 1.a. For the purposes of this section, the term
1 9 "crime" does not include offenses under chapter 321 classified
1 10 as a simple misdemeanor or equivalent simple misdemeanor
1 11 offenses from another jurisdiction.
1 12 b. Prior to employment of a person in a facility, the
1 13 facility shall request that the department of public safety
1 14 perform a criminal history check and the department of human
1 15 services perform child and dependent adult abuse record checks
1 16 of the person in this state. A facility shall inform all
1 17 persons prior to employment regarding the performance of the
1 18 record checks and shall obtain, from the persons, a signed
1 19 acknowledgment of the receipt of the information. A facility
1 20 shall include the following inquiry in an application for
1 21 employment:
1 22 "Do you have a record of founded child or dependent adult
1 23 abuse or have you ever been convicted of a crime other than a
1 24 simple misdemeanor offense relating to motor vehicles and laws
1 25 of the road under chapter 321 or equivalent provisions, in this
1 26 state or any other state?"
1 27 Sec. 2. Section 135C.33, Code Supplement 2009, is amended by
1 28 adding the following new subsection:
1 29 NEW SUBSECTION. 8. a. For the purposes of this subsection,
1 30 unless the context otherwise requires:
1 1 (1) "Certified nurse aide training program" means a program
1 2 approved in accordance with the rules for such programs adopted
1 3 by the department of human services for the training of persons
1 4 seeking to be a certified nurse aide for employment in any of
1 5 the facilities or programs this section applies to or in a
1 6 hospital, as defined in section 135B.1.
1 7 (2) "Student" means a person applying for, enrolled in, or
1 8 returning to a certified nurse aide training program.
1 **9 b. Prior to a student beginning or returning to a certified**
1 10 nurse aide training program, the program shall request that the
1 11 department of public safety perform a criminal history check and
1 12 the department of human services perform child and dependent
1 13 adult abuse record checks, in this state, of the student. The
1 14 program may access the single contact repository established
1 15 pursuant to this section as necessary for the program to
1 16 initiate the record checks.
1 17 c. **If a student has a criminal record or a record of**
1 18 founded child or dependent adult abuse, the student shall
1 19 not be involved in a clinical education component of the
1 20 certified nurse aide training program involving children or
1 21 dependent adults unless an evaluation has been performed by the
1 22 department of human services. Upon request of the certified
1 23 nurse aide training program, **the department of human services**
1 24 shall perform an evaluation to determine whether the record
1 25 warrants prohibition of the student's involvement in a clinical
1 26 education component of the certified nurse aide training
1 27 program involving children or dependent adults. The evaluation
1 28 shall be performed in accordance with the criteria specified
1 29 in subsection 3 and the department of human services shall
1 30 report the results of the evaluation to the certified nurse aide
1 31 training program. The **department of human services has final**

1 32 **authority** in determining whether prohibition of the student's
1 33 involvement in the clinical education component is warranted.
1 34 d. (1) If a student is convicted of a crime or has a record
1 35 of founded child or dependent adult abuse entered in the abuse
1 36 registry after the record checks and any evaluation have been
2 1 performed, the student shall inform the certified nurse aide
2 2 training program of such information within forty=eight hours
2 3 of the criminal conviction or entry of the record of founded
2 4 child or dependent adult abuse. The program shall act to verify
2 5 the information within forty=eight hours of notification. If
2 6 the information is verified, the requirements of paragraph "c"
2 7 shall be applied by the program to determine whether or not
2 8 the student's involvement in a clinical education component
2 9 may continue. The **program may allow the student involvement**
2 10 to continue pending the performance of an evaluation by the
2 11 department of human services. A student who is required by this
2 12 subparagraph to inform the program of a conviction or entry of
2 13 an abuse record and fails to do so within the required period
2 14 commits a serious misdemeanor.
2 15 (2) If a program receives credible information, as
2 16 determined by the program, that a student has been convicted of
2 17 a crime or a record of founded child or dependent adult abuse
2 18 has been entered in the abuse registry after the record checks
2 19 and any evaluation have been performed, from a person other than
2 20 the student and the student has not informed the program of such
2 21 information within the period required under subparagraph (1),
2 22 the program shall act to verify the credible information within
2 23 forty=eight hours of receipt of the credible information. If
2 24 the information is verified, the requirements of paragraph "c"
2 25 shall be applied to determine whether or not the student's
2 26 involvement in a clinical education component may continue.
2 27 (3) The program may notify the county attorney for the
2 28 county where the program is located of any violation or failure
2 29 by a student to notify the program of a criminal conviction
2 30 or entry of an abuse record within the period required under
2 31 subparagraph (1).
2 32 e. If a certified nurse aide training program is conducted
2 33 by a health care facility and a student of that program
2 34 subsequently accepts and begins employment with the facility
2 35 within thirty days of completing the program, the criminal
2 36 history and abuse registry checks of the student performed
3 1 pursuant to this subsection shall be deemed to fulfill the
3 2 requirements for such checks prior to employment pursuant to
3 3 subsection 1.

JOHN P. KIBBIE
President of the Senate

PATRICK J. MURPHY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2149, Eighty=third General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2010