

**ARIZONA STATE
BOARD OF NURSING**



NURSING ASSISTANT TRAINING PROGRAM

**RENEWAL APPLICATION FOR
CONSOLIDATED PROGRAMS**

Janice K. Brewer
Governor



Joey Ridenour
Executive Director

Arizona State Board of Nursing

4747 North 7th Street, Suite 200

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NURSING ASSISTANT TRAINING PROGRAM RENEWAL APPLICATION CONSOLIDATED PROGRAMS

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NOTICE OF EXPIRATION/SITE VISIT

The Arizona State Board of Nursing is the agency that provides oversight for the training of nursing assistants in the state. Federal regulations require that a site visit be conducted a minimum of every two years for each approved program.

To renew the training program, complete the renewal application form and return it with the required documents to the Board office. You will then be contacted by a Board representative to schedule a visit. The application review requires the documents listed on pages 6-11. Sending these materials as part of your application packet will expedite the survey process.

Should any questions or concerns about the application process or site visit, please contact:

Pamela K. Randolph, RN, MS
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Arizona State Board of Nursing

Nursing Assistant Training Program Renewal Application for Consolidated Program

PROGRAM INFORMATION

Name of NA Training Program

Name of Coordinator/Contact Person

Address

City

State

Zip

Telephone #

Fax #

Email Address

Website

TYPE OF PROGRAM

Hospital

Home Health Agency

High School

Community College

University

Private School

Skill Center

Other _____

PROGRAMS MUST MEET THE FOLLOWING CRITERIA TO RECEIVE APPROVAL FOR CONSOLIDATION

- The programs to be consolidated are in the same department on the organizational chart;
- A single RN administrator or coordinator has authority and responsibility for all sites, instructors and the coordinator, if the administrator is not the coordinator and has a major role in hiring, retention and evaluation of all instructors;
- Curriculum and policies are identical for all sites;
- The hour-for-hour breakdown for didactic, laboratory, and clinical are identical for all sites;
- The sites are comparable in terms of classroom, lab facilities and supplies; and
- Student records for this site will be stored in a central location with all other records.

Long-term care facilities or nursing homes can not become consolidated programs as they maintain separate licenses issued by the Department of Health Services and are subject to state and federal sanction.

CONSOLIDATED SITES
USE ADDITIONAL PAGE(S) IF NECESSARY

Name of Site	Telephone #	Fax #
Address	City	State
		Zip

List Site Instructors

Name Agency to be used for Clinicals	<input type="checkbox"/> Hospital <input type="checkbox"/> Home Health Agency <input type="checkbox"/> Nursing Facility Medicare Certified <input type="checkbox"/> Yes <input type="checkbox"/> No
--------------------------------------	--

Name of Site	Telephone #	Fax #
Address	City	State
		Zip

List Site Instructors

Name of Agency to be used for Clinicals	<input type="checkbox"/> Hospital <input type="checkbox"/> Home Health Agency <input type="checkbox"/> Nursing Facility Medicare Certified <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

Name of Site	Telephone #	Fax #
Address	City	State
		Zip

List Site Instructors

Name of Agency to be used for Clinicals	<input type="checkbox"/> Hospital <input type="checkbox"/> Home Health Agency <input type="checkbox"/> Nursing Facility Medicare Certified <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

Name of Site	Telephone #	Fax #
Address	City	State
		Zip

List Site Instructors

Name of Agency to be used for Clinicals	<input type="checkbox"/> Hospital <input type="checkbox"/> Home Health Agency <input type="checkbox"/> Nursing Facility Medicare Certified <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

PROGRAM PERSONNEL

ADMINISTRATOR

Name	Telephone #

COORDINATOR

R4-19-801-©(1)(a) states: A program coordinator shall hold a current, registered nurse license that is active and in good standing under A.R.S. Title 32, Chapter 15. R4-19-801-(C)(1)(b) states: A program coordinator shall possess at least 2 years of nursing experience at least one of which is in the provision of long-term care facility services. Document experience in the space provided below.

Name (as it appears on license)	RN License #

AGENCY NAME/LOCATION	POSITION	CLINICAL AREA	FROM MONTH/YEAR	TO MONTH/YEAR

INSTRUCTOR

USE ADDITIONAL PAGE(S) IF NECESSARY

R4-19-801-I(4)(a) states: A program instructor shall hold a current, registered nurse license that is active and in good standing under A.R.S. Title 32, Chapter 15. R4-19-801-(C)(4)(b) states: A program instructor shall possess one or more of the following: credit for a course on teaching adults; one year of experience teaching adults; or one year of experience supervising nursing assistants.

Please provide the following information for **each** instructor.

Name (as it appears on license)	RN License #

R4-19-801-I(4)(b) states: A program instructor shall possess ONE OR MORE OF THE FOLLOWING :				
R4-19-801-I(4)(b)(i) Credit for a course on teaching adults	COLLEGE~UNIVERSITY~INSITUTION LOCATION	COURSE TITLE	CREDITS	DATE COMPLETED
R4-19-801-©(4)(b)(ii): One year of experience teaching adults	COLLEGE~UNIVERSITY~FACILITY LOCATION	COURSE CONTENT	FROM MONTH/YEAR	TO MONTH/YEAR
R4-19-801-©(4)(b)(iii): One year of experience supervising nursing assistants.	FACILITY~LOCATION	POSITION~CLINICAL AREA	FROM MONTH/YEAR	TO MONTH/YEAR

VERIFICATION

The undersigned verifies that the information provided in this application is true and correct in every respect and agrees to apply to the Board 30 days before a new site is added to the program.

Signature of NA Training Program Administrator or Coordinator

Date



Arizona State Board of Nursing

APPLICATIONS MUST INCLUDE THE FOLLOWING DOCUMENTS PLEASE REFER TO R4-19-802 and R4-19-803

Please send documents unbound, unstapled and copied on one side only. Do not send notebooks or tabulated items.

1. A description of the program that includes the length of the program (minimum of 120 hours), number of hours of clinical and classroom instruction, and program goals consistent with federal, state, and if applicable, private postsecondary requirements. The program shall provide a description that is consistent with the purpose, goals, and objectives of a parent institution, if any.
2. Qualifications of other professionals that will help teach the course.
3. Sample of the Infection Control unit and the Resident Rights unit in the program curriculum, consistent with R4-19-802 (pages 26 and 27 of this document). Please see the Board approved curriculum for an example, and page 15 of this document for a sample of the recommended format.
4. Copy of policies with effective and review dates for review of policies consistent with R4-19-801 including:
 - A. Student attendance ensuring that a student receives 120 hours of instruction or the equivalent of 120 hours;
 - B. Student grading, requiring that a student either attain at least 75% on each theoretical exam, or 75% on a comprehensive theoretical exam;
 - C. Test retake, if retake tests are allowed, informing students that a retake test:
 1. Addresses the competencies tested in the original test,
 2. Contains different items from the original test, and
 3. Is documented in the student's record;
 - D. Student record maintenance including information regarding records retention, retention period, records location, and documents required under R4-19-801 (D)(5) and (6);
 - E. Instructor supervision of students in the clinical area, providing for:
 1. A method to contact the instructor that ensures the instructor is available as needed;
 2. Instructor rounds for each student according to patient or resident need and student ability;
 3. Direct observation and documentation of student performance, consistent with course and clinical objectives; and
 4. Only activities related to the direct supervision of students during the clinical session.

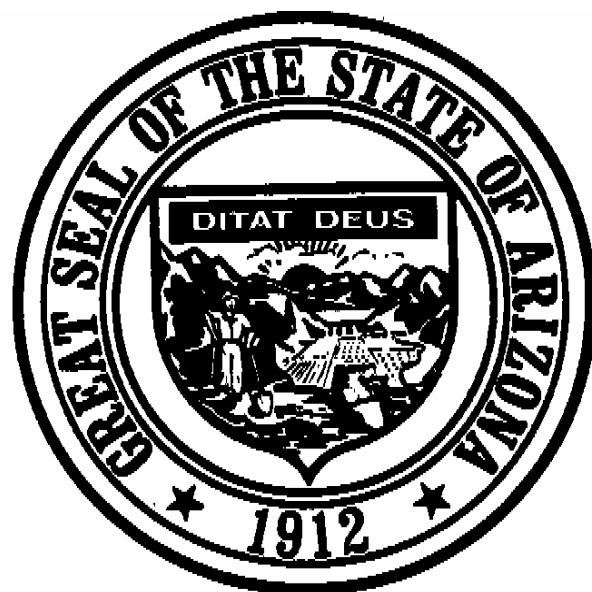
- F. Student fees and financial aid, if any;
 - G. Dismissal, advanced placement consistent with R4-19-801(B)(4), and withdrawal policies;
 - H. Student grievance policy, including a chain of command for grade disputes;
 - I. Admission requirements, including any criminal background or drug testing required;
 - J. Program completion criteria; and
 - K. Notification of Board requirements for certification, including the criminal background check requirement, before enrolling a student.
5. Number of classes held, number of students who have completed the program, and the results of the state-approved written and manual skills tests including first time pass rate since the last program review.
 6. Any changes in resources, contracts, or clinical facilities since the previous approval.
 7. A copy of the current student program evaluation forms, a summary of the evaluations for each cohort group, and measures taken by the program, if any, to improve the program based on student and instructor evaluation.
 8. Sample certificate of completion that contains the following:
 - A. The name and classroom location of the program;
 - B. The number of classroom and clinical hours in the program;
 - C. The number of traineeship hours, if any;
 - D. The end date of the program;
 - E. The program number, if known; and
 - F. The signature of the program coordinator, instructor, or the supervisor of the program coordinator or instructor.
 9. Textbook author, name, year of publication, and publisher consistent with R4-19-802(E) including the year the textbook has been published (required to be within the previous five years) and other current resource materials.
 10. Copy of student course evaluation form.
 11. Facility based programs: Affidavit executed by program coordinator of a Medicare or Medicaid certified long term care facility affirming that the program does not require a student to pay a fee for any portion of the program including testing (attached).
 12. Independent and school based programs: copies of contracts with cooperating agencies.

13. Implementations plan and timeline for starting the course.
14. Copy of skills checklist. Description of classroom(s) and clinical laboratory including equipment for practicing all mandated skills. **Only school and independent programs that meet Board criteria may have more than one classroom site under a single program approval and program number.**

Following receipt of a completed application, you will be contacted to set up an appointment for a site visit. Completed applications should be mailed to:

Nursing Assistant Training Programs
Arizona State Board of Nursing
4747 North 7th Street, Suite 200
Phoenix, Arizona 85014-3653

**ARIZONA STATE
BOARD OF NURSING**



**SAMPLE OF CURRICULUM FORMAT
Nursing Assistant Training Program**

CERTIFIED NURSING ASSISTANT CURRICULUM

The nursing assistant training program curriculum was developed by the Nursing Assistant Advisory Committee and approved by the Arizona State Board of Nursing on January 27, 2006. The curriculum incorporates Article 8 Certified Nursing Assistants rules implemented on December 5, 2005, and meets the requirements of R4-19-802 (B) (1) through (B) (4) and R4-19-802 (C) (1) through (C) (14). Approved training programs may use this curriculum as a template to develop/write individual program curriculums.

1.0 Competency: Functions as a member of the health team within the health care facility and/or community.

Class Day (M, T, W, etc or 1 st , 2 nd , 3 rd , etc. day) competency will be taught	Learning Goals	Content Outline	Learning Activities and/or Reading Assignment Resources	Time Allotted For Entire Competency
	1.1 Identifies essential functions of the health care facility and states the differences between acute, long-term, assisted living, home care and hospice.	Functions, similarities, difference in the following: A. Acute care B. Long-term care C. Assisted Living		

		<p>D. Home care</p> <p>E. Rehabilitation</p> <p>F. Hospice.</p>		
	<p>1.2 Explains the essential duties of the nursing team within a care facility.</p> <p>A. Identifies the essential function of the RN.</p> <p>B. Identifies the essential function of the LPN.</p> <p>C. Identifies the essential function of the nurse assistant.</p> <p>D. Discuss the elements of a functioning team.</p> <p>E. Works with other members of the team e.g., physician, dietician, Dietary Technician, Physical Therapist, Nurse Practitioner, speech therapist and Social Worker</p>	<p>Functions and duties of nursing personnel:</p> <p>A. RN</p> <p>B. LPN</p> <p>C. Nurse Assistant</p> <p>D. Organization structure</p> <p>E. Working with other members of the team e.g., physician, dietician, Dietary Technician, Physical Therapist, Nurse Practitioner, speech therapist and Social Worker</p>		
	<p>1.3 Explains the nursing assistant role as outlined in the different regulatory and</p>	<p>Regulatory agencies and professional guidelines.</p>		

	professional guidelines.	<ul style="list-style-type: none"> A. Omnibus Budget Reconciliation Act (OBRA) B. Arizona State Board of Nursing prescribed requirements for certification C. Arizona State Board of Nursing prescribed requirements for recertification D. Standards of conduct (R4-19-814) E. Ethics in the workplace F. Informed consent G. Advanced Directives/ do not resuscitate 		
	1.4 Describes the delegation process.	<p>Delegation process:</p> <ul style="list-style-type: none"> A. Responsibility and accountability in delegation B. Factors affecting delegation 		

		<p>C. 5 Rights of delegation</p> <p>D. Accepting and refusing delegation</p>		
	<p>1.5 Demonstrates professional work habits and time management skills.</p>	<p>Guiding principles:</p> <p>A. Time management skills</p> <p>B. Application in the work setting</p> <p>C. Realistic resident care assignment load</p>		
	<p>1.6 Demonstrates appropriate stress relieving techniques.</p>	<p>Guiding principles:</p> <p>A. Stress management techniques</p> <p>B. Application in the work setting</p>		

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Arizona State Board of Nursing

Nursing Assistant Training Programs Frequently Asked Questions

1. How can an initial or renewal application for a nursing assistant training program be obtained?

Initial and Renewal applications are available on our website, www.azbn.gov, under Educational Resources. If a program does not have Internet access or the capability to download, an application packet will be forwarded upon request by contacting the Education Department administration at (602) 771-7856. The submitted application should contain all documents as identified in R4-19-803 for initial applications and R4-19-804 for renewal applications.

2. How soon must an initial application be received before offering classes?

Initial application must be received via U.S. mail or hand delivery at the Board office at least ninety (90) days before the expected starting date of the program.

3. How soon must an application for renewal of a nursing assistant training program be submitted?

Renewal applications must be received via U.S. mail or hand delivery at the Board office before the current approval expiration date. The Board may send notification to the training program of expiration ninety (90) days prior to the actual expiration date of the current approval, but it is the responsibility of the program to renew in a timely manner.

4. I have sent the renewal for our program to the Board but have not had a site visit yet. Can I start another class?

Yes, you may continue to offer CNA classes until the Board takes action on your renewal application. Site visits are scheduled based on availability of the consultant and the geographic location of the program.

5. How should applications be secured for students applying for nursing assistant competency examination and certification?

Applications may be obtained at any time and are available on our website at www.azbn.gov. Fingerprint cards will be mailed to the individual applicant once the Board receives a completed application for certification. Program coordinators and

instructors may request application packets and fingerprint cards for their students by calling 602-771-7876.

6. When do any changes to a nursing assistant training program need to be communicated to the Board?

A nursing assistant training program must submit written documentation within 30 days of instituting a change. Under R4-19-801(E) you must report the following changes to the Board: changes coordinator; instructor; program hours; classroom location; clinical facility; name; and/or ownership of the facility. You need not await Board approval to institute the change.

7. What are the qualifications to become an instructor in a Board approved nursing assistant training program?

Under R4-19-801C4 of the Nurse Practice Act a program instructor shall:

- a. Hold a current, unencumbered, Arizona professional nurse license; and
- b. Meet one of the following requirements:
 - i. Have completed a course in teaching adults,
 - ii. Have one year's experience in teaching adults, or
 - iii. Have one year's experience in supervising nursing assistants.

8. Can a person be a coordinator of a Board approved nursing assistant training program with less than one year's experience in long-term care?

No. The qualifications to be a coordinator of a NA program are clearly stated in the Code of Federal Regulations: 42 CFR s 483.152 (a) (5i); Arizona Revised Statutes (A.R.S.) § 32-1606 (B) 2 (NA Programs) and the Arizona Administrative Code (A.A.C.) R4-19-801 (C). The registered nurse who is the NA Program Coordinator must have a current unencumbered Arizona professional nursing license and a minimum of two years of nursing experience, at least one year of which was in the provision of long-term care facility services.

9. Can a licensed practical nurse be an instructor in a Board approved nursing assistant program?

A license practical nurse may not provide classroom instruction or clinical supervision. Please refer to the Nurse Practice Act R4-19-801(C)(4)(a).

10. What is the process for opening an additional site to offer nursing assistant training classes?

If your program is considering adding additional sites please contact the Education Department to speak with a nurse education consultant to determine if your program will meet all the necessary criteria.

11. Must our program use the Board approved curriculum?

The curriculum was developed to assist programs. Programs are not required to adopt the Board approved curriculum. Programs may choose to adopt it in whole or part. The curriculum meets all Board and OBRA requirements when the schedule and class activities portions are completed. Please visit our website for a writable copy of the [Certified Nursing Assistant Curriculum](#).

12/09



Arizona State Board of Nursing

Certified Nursing Assistants Frequently Asked Questions

1. How many Certified Nursing Assistants (CNAs) are active in the State of Arizona?

Approximately 23,894

2. How old do I have to be to be certified?

The Arizona State Board of Nursing (Board) does not have a minimum age for CNAs. However the Arizona Department of Health Services requires that workers be at least 16 years old if they provide direct care in long-term care facilities.

Nursing assistants who are on the register in another state may transfer to Arizona. They must be listed as active with no complaints.

3. How do I become a Certified Nursing Assistant in the State of Arizona?

Arizona regulations state that a person must: a) successfully complete a Board approved training program; b) show proof of passing the written and manual skills tests; and c) complete a criminal background check. For an application and instructions please visit the AZBN website at www.azbn.gov under the Licensure and Certification tab and then under Applications. Click on CNA Application by Endorsement or Examination.

4. Can I challenge the state Nursing Assistant tests?

The following waivers apply for applicants that have not completed a Board approved nursing assistant training program:

- a. Nursing students who, within the past 2 years, have successfully completed a nursing course as part of an approved RN/LPN program including:
 - didactic content relating to Long Term Care clients
 - 40 hours of patient care in a LTC or comparable facility
 - documentation of meeting requirements from the course instructor or nursing program director/designee
- b. Graduates of foreign nursing programs, as evidenced by a copy of their diploma or foreign license.

c. Applicants who have completed at least 100 hours of military health care training, as evidenced by military records, and have worked in health care within the past 2 years.

5. Can I become a Certified Nursing Assistant if I have a felony conviction?

The Board must receive the following information from applicants with felony convictions: proof that 5 or more years have gone by since the date of absolute discharge of the felony. Applicants are not eligible to apply if they cannot provide this information. The Board considers applicants with felony convictions over 5 years from the date of absolute discharge on a case-by-case basis.

6. Why did I get a Deficiency Notice?

The Board is required to notify you if your application cannot be processed. The Board does this by sending you a Deficiency Notice. The notice is usually sent because: a) testing scores have not been received or b) results from fingerprinting have not been received.

7. How often do I need to renew my nursing assistant certification?

Effective September 1, 1999, renewal will be for TWO years.

8. Why did I get a renewal notice?

The most frequent reason that you did not get a notice is because it was sent to the wrong address. Keep your address current at the Board. That way you will always get a renewal notice.

9. Why was my renewal application mailed back to me?

Renewal applications are usually returned because proof of employment was not provided. Proof of employment can be: a) a copy of a pay stub if the EMPLOYER'S name and the CNA's name are on the pay stub; b) a copy of W-2; or c) a completed Proof of Employment form.

The federal government requires that a CNA provide proof of employment every 2 years.

10. How long does it take to renew my certification?

Usually within 10 working days after the Board receives a complete application. If you paid for a document, it will be mailed to you within that same time.

11. How many Continuing Education hours do I need?

The Board does not require that you have any continuing education hours to renew your certification. The federal government requires that CNAs working in long-term care facilities, home health or hospice agencies have 12 hours of continuing education per year. Your employer may have additional educational requirements.

12. Can working in a health care job where I'm not called a CNA affect me?

If you are a CNA, even if your job description does not call you a CNA, you can still be disciplined by the Board for unprofessional conduct. The definition of unprofessional conduct is very broad. It includes criminal convictions, conduct or practice that is or may be harmful to the public and acts that deceive the public.

13. Are there any organizations for nursing assistants?

At this time, I do not know of an organization that includes all nursing assistants. The organizations listed below are for CNAs working in home care and long-term care:

1. The Home Care Aide Association of America is an affiliate of the National Association for Home Care and Hospice, 228 Seventh Street SE, Washington DC, 20003, 202-547-7424, <http://www.nahc.org/home.html>.
2. National Association of Health Care Assistants (NAFMA), 2709 W. 13th Street, Joplin, MO, 64801. Phone: 1-800-784-6049. Organization has facility and individual members. Cost is \$50.00 per year for individual members. Caregiver News Magazine included in membership fee. Organization targets issues in long-term care.

14. What are the employment/working requirements to renew a CNA certificate?

You must verify on your application that you have worked as a nursing assistant or performed nursing assistant duties in your job for a minimum of 160 hours in the past 2 years. (R4-19-809(A)(2))

RULES OF THE
STATE BOARD OF NURSING



ARTICLE 8
CERTIFIED NURSING
ASSISTANTS

ISSUED BY
ARIZONA STATE BOARD OF NURSING
PHOENIX, ARIZONA

FOR A COMPLETE COPY OF THE [NURSE PRACTICE ACT STATUTES AND RULES](#) PLEASE
VISIT OUR WEBSITE

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 19. BOARD OF NURSING

ARTICLE 8. CERTIFIED NURSING ASSISTANTS

R4-19-801. Standards for Nursing Assistant Training Programs

- A.** For the purposes of this Article "traineeship" means a clinical experience in which a nursing assistant student works with a facility staff member under the supervision of a licensed nurse to provide care for residents without an instructor onsite.
- B.** Organization and administration
1. A nursing assistant training program shall provide a description of the program that includes the length of the program, number of hours of clinical and classroom instruction, and program goals consistent with federal, state, and if applicable, private postsecondary requirements. The program shall provide a description that is consistent with the purpose, goals, and objectives of a parent institution, if any.
 2. A nursing assistant training program that uses external clinical facilities shall execute a written agreement with each external clinical facility that:
 - a. Defines the rights and responsibilities of both the clinical facility and the program,
 - b. Defines the role and authority of the governing bodies of both the clinical facility and the program,
 - c. Allows the program instructor the right to select learning experiences for students, and
 - d. Contains a termination clause that provides sufficient time for enrolled students to complete the clinical experience upon termination of the agreement.
 3. A nursing assistant training program shall promulgate written policies and procedures that are consistent with the policies and procedures of the parent institution, if any, and contain an effective and review date for each policy or procedure. The program shall provide a copy of its policies and procedures to each student on or before the first day the student participates in the program. The program shall develop and adhere to policies and procedures in the following areas:
 - a. Student attendance ensuring that a student receives 120 hours of instruction or the equivalent of 120 hours;
 - b. Student grading, requiring that a student either attain at least 75% on each theoretical exam, or 75% on a comprehensive theoretical exam;
 - c. Test retake, if retake tests are allowed, informing students that a retake test:
 - i. Addresses the competencies tested in the original test,
 - ii. Contains different items from the original test, and
 - iii. Is documented in the student's record;
 - d. Student record maintenance including information regarding records retention, retention period, records location, and documents required under subsections (D)(5) and (6);
 - e. Instructor supervision of students in the clinical area, providing for:
 - i. A method to contact the instructor that ensures the instructor is available as needed;
 - ii. Instructor rounds for each student according to patient or resident need and student ability;
 - iii. Direct observation and documentation of student performance, consistent with course and clinical objectives; and
 - iv. Only activities related to the direct supervision of students during the clinical session.
 - f. Student fees and financial aid, if any;
 - g. Dismissal, advanced placement consistent with subsection (B)(4), and withdrawal policies;
 - h. Student grievance policy, including a chain of command for grade disputes;
 - i. Admission requirements, including any criminal background or drug testing required;
 - j. Program completion criteria; and
 - k. Notification of Board requirements for certification, including the criminal background check requirement, before enrolling a student.
 4. In lieu of requiring completion of all course hours specified in R4-19-802, a nursing assistant training program may develop a policy that allows a student with at least one year full-time nursing assistant experience to demonstrate attainment of course objectives and clinical competencies consistent with curriculum requirements in R4-19-802(C). The program shall evaluate competency through a written comprehensive examination, skills testing, and at least 16 hours of clinical practice in a long-term care facility directly supervised by the registered nurse instructor. A program that develops a policy under this subsection shall submit a copy of the policy to the Board.
 5. Within 15 days of program completion, a nursing assistant training program shall provide a certificate of completion document, which contains the following, to each student who has completed the program:
 - a. The name and classroom location of the program;
 - b. The number of classroom and clinical hours in the program;
 - c. The number of traineeship hours, if any;
 - d. The end date of the program;
 - e. The program number, if known; and
 - f. The signature of the program coordinator, instructor, or the supervisor of the program coordinator or instructor.

6. A nursing assistant training program shall execute and maintain under subsection (D)(5) and (6) the following documents for each student:
 - a. A skills check-off list, containing documentation of competency of the nursing assistant skills in R4-19-802(C), and
 - b. A program evaluation form, containing the student's responses to questions about the quality of the classroom and clinical experiences during the training program.
- C. Program coordinator and instructor qualifications and responsibilities**
1. A program coordinator shall:
 - a. Hold a current, registered nurse license that is active and in good standing under A.R.S. Title 32, Chapter 15; and
 - b. Possess at least two years of nursing experience at least one year of which is in the provision of long-term care facility services.
 2. A director of nursing in a health care facility may assume the role of a program coordinator for a nursing assistant training program based in the facility but shall not function as a program instructor.
 3. A program coordinator shall:
 - a. Supervise and evaluate the program;
 - b. Ensure that instructors meet Board qualifications; and;
 - c. Ensure that the written policies in subsection (B) are available to students on or before the first day of the program;
 4. A program instructor shall:
 - a. Hold a current, registered nurse license that is active and in good standing under A.R.S. Title 32, Chapter 15; and
 - b. Possess one or more of the following:
 - i. Credit for a course on teaching adults,
 - ii. One year of experience teaching adults, or
 - iii. One year of experience supervising nursing assistants.
 5. For classroom and clinical, excluding hours spent in a traineeship, a program instructor shall:
 - a. Plan each learning experience;
 - b. Accomplish course goals and lesson objectives;
 - c. Enforce a grading policy that meets or exceeds the requirements of subsection (B)(3)(b);
 - d. Require satisfactory performance of all critical elements of each nursing assistant skill under R4-19-802(C);
 - e. Prevent a student from performing an activity unless the student has received instruction and been found to competently perform the activity;
 - f. Supervise any student who provides care to clients in clinical areas, consistent with the requirements of subsection (B)(3)(e);
 - g. Be present in the classroom during all instruction; and
 - h. Supervise health care professionals and clinical instructors who assist in providing program instruction.
 6. A certified or licensed health care professional shall not assist the program instructor unless the health care professional has at least one year of experience in the field of licensure or certification and the learning activity is within the scope of practice of the licensee or certificate holder. A certified nursing assistant shall not provide classroom or clinical instruction in a nursing assistant training program.
- D. Clinical requirements, resources, and records**
1. A nursing assistant training program shall provide a minimum of one clinical instructor for every 10 students if students perform one or more nursing assistant activities for a patient or resident. The program shall ensure that the instructor is physically present in the health care setting during each performance of a nursing assistant activity for a patient or resident.
 2. A nursing assistant training program shall provide an instructor-supervised clinical experience for each nursing assistant student, which consists of at least 40 hours of direct patient or resident care, and includes at least 20 hours caring for long-term care facility residents. If there is no long-term care facility available within a 50-mile radius of the program, the program may conduct clinical sessions in a healthcare institution that provides experiences with patients or residents who have nursing care needs similar to those of long-term care facility residents.
 3. A nursing assistant training program shall ensure that each nursing assistant student is identified as a student by a name badge or another means readily observable to staff, patients, or residents and not utilize students as staff during clinical and traineeship experiences.
 4. A nursing assistant training program shall provide or have access to instructional and educational resources for implementing the program, for the planned number of students and instructional staff, including:
 - a. Current reference materials, related to the level of the curriculum;
 - b. Equipment in functional condition for simulating patient care, including:
 - i. A patient bed, overbed table, and nightstand;
 - ii. Privacy curtains and call bell;
 - iii. Thermometers, stethoscopes, including a teaching stethoscope, blood pressure cuffs, and a balance-type scale;
 - iv. Hygiene supplies, elimination equipment, drainage devices, and linens;
 - v. Hand washing equipment and clean gloves; and

- vi. Wheelchair, gait belt, walker, anti-embolic hose, and cane;
- c. Audio-visual equipment and media; and
- d. Designated space for didactic teaching and skill practice that provides a clean, distraction-free learning environment for accomplishing the educational goals of the program and is comparable to the space provided by a previously approved program of similar size and type, if any;
- 5. A nursing assistant training program shall maintain the following program records for three years:
 - a. Curriculum and course schedule for each cohort group;
 - b. Results of state-approved written and manual skills testing;
 - c. Completed student program evaluation forms, a summary of the evaluations for each cohort group, and measures taken by the program, if any, to improve the program based on student and instructor evaluation; and
 - d. A copy of any Board reports, applications, or correspondence, related to the program.
- 6. A nursing assistant training program shall maintain the following student records for three years:
 - a. A record of the student's name, date of birth, and Social Security number, if available;
 - b. A completed skill checklist;
 - c. Attendance record, which describes any make-up class sessions;
 - d. Scores on each test, quiz, or exam and, if applicable, whether such test quiz or exam was retaken; and
 - e. For programs with traineeships, documentation from the registered nurse supervising the traineeship that indicates the number of hours completed and the performance of the student during the traineeship; and
 - f. A copy of the certificate of completion issued to the student upon successful completion of the training program.
- E. Periodic evaluation
 - 1. A nursing assistant training program shall permit the Board, or a state agency designated by the Board, to conduct an onsite scheduled evaluation for initial Board approval, in accordance with R4-19-803, and renewal of approval, in accordance with R4-19-804.
 - 2. For reasonable cause, as determined by the Board, a nursing assistant training program shall permit the Board, or a state agency designated by the Board, to conduct an onsite unannounced evaluation of the program.
- F. A nursing assistant training program shall submit written documentation and information regarding the following changes within 30 days of instituting the change:
 - 1. For a change or addition of an instructor or coordinator, the name, license number, and documentation of meeting coordinator or instructor requirements of this Section, as applicable;
 - 2. For a decrease in the number of program hours, a description of the change, the reason for the change, a revised curriculum outline, and a revised course schedule;
 - 3. For a change in classroom location, the address of the new location, if applicable, and a description of the new classroom;
 - 4. For a change in a clinical facility, the name of the new facility and a copy of the clinical contract; and
 - 5. For a change in the name or ownership of the facility, the former, present and new name of the facility.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-802. Curriculum

- A. A nursing assistant training program shall provide at least 120 hours of instruction which can be met by the student completing either of the following:
 - 1. A 120 hour curriculum consisting of at least 60 hours of classroom instruction with clinical instruction that satisfies the requirements of R4-19-801(D)(2); or
 - 2. A curriculum of at least 60 hours of classroom instruction and 40 hours of supervised, clinical instruction that satisfies the requirements R4-19-801(D)(2), followed by a long-term care facility-based traineeship. The program coordinator shall ensure that the traineeship experience:
 - a. Consists of no more than 20 hours of the total 120 hours, and
 - b. Is verified by the supervising nurse in a written document that contains the number of hours provided through the traineeship and confirmation that the student has demonstrated required skills and abilities, competently performed nursing assistant functions, and met course objectives.
- B. A nursing assistant training program shall provide a written curriculum plan to each student that includes overall course goals and for each required subject:
 - 1. Measurable learner-centered objectives,
 - 2. An outline of the material to be taught,
 - 3. The time allotted for each unit of instruction, and
 - 4. The learning activities or reading assignments.
- C. A nursing assistant training program shall provide classroom and clinical instruction regarding each of the following subjects:
 - 1. Communication, interpersonal skills, and documentation;
 - 2. Infection control;
 - 3. Safety and emergency procedures, including the Heimlich© maneuver and cardiopulmonary resuscitation instruction;

4. Patient or resident independence;
 5. Patient or resident rights, including:
 - a. The right to confidentiality;
 - b. The right to privacy;
 - c. The right to be free from abuse, mistreatment, and neglect;
 - d. The right to make personal choices;
 - e. The right to obtain assistance in resolving grievances and disputes;
 - f. The right to care and security of a patient's or resident's personal property; and
 - g. The right to be free from restraints;
 6. Recognizing and reporting abuse, mistreatment or neglect to a supervisor;
 7. Basic nursing assistant skills, including:
 - a. Taking vital signs, height, and weight;
 - b. Maintaining a patient's or resident's environment;
 - c. Observing and reporting pain;
 - d. Assisting with diagnostic tests;
 - e. Providing care for patients or residents with drains and tubes;
 - f. Recognizing and reporting abnormal changes to a supervisor;
 - g. Applying clean bandages;
 - h. Providing peri-operative care; and
 - i. Assisting in admitting, transferring, or discharging patients or residents.
 8. Personal care skills, including:
 - a. Bathing, skin care, and dressing;
 - b. Oral and denture care;
 - c. Shampoo and hair care;
 - d. Fingernail care;
 - e. Toileting, perineal, and ostomy care; and
 - f. Feeding and hydration, including proper feeding techniques and use of assistive devices in feeding;
 9. Age specific, mental health, and social service needs, including:
 - a. Modifying the nursing assistant's behavior in response to patient or resident behavior,
 - b. Demonstrating an awareness of the developmental tasks associated with the aging process,
 - c. Responding to patient or resident behavior,
 - d. Promoting patient or resident dignity,
 - e. Providing culturally sensitive care,
 - f. Caring for the dying patient or resident, and
 - g. Interacting with the patient's or resident's family;
 10. Care of the cognitively impaired patient or resident including:
 - a. Addressing the unique needs and behaviors of patients or residents with dementia,
 - b. Communicating with cognitively impaired patients or residents,
 - c. Understanding the behavior of cognitively impaired patients or residents, and
 - d. Reducing the effects of cognitive impairment;
 11. Skills for basic restorative services, including:
 - a. Body mechanics;
 - b. Resident self-care;
 - c. Assistive devices used in transferring, ambulating, eating, and dressing;
 - d. Range of motion exercises;
 - e. Bowel and bladder training;
 - f. Care and use of prosthetic and orthotic devices; and
 - g. Family and group activities;
 12. Health care team member skills including time management and prioritizing work; and
 13. Legal aspects of nursing assistant practice, including:
 - a. Board-prescribed requirements for certification and re-certification;
 - b. Delegation,
 - c. Ethics,
 - d. Advance directives and do-not-resuscitate orders, and
 - e. Standards of conduct under R4-19-814.
 14. Body structure and function, together with common diseases and conditions of the elderly.
- D.** A nursing assistant training program shall provide a student with a minimum of 16 hours instruction in the subjects identified in subsections (C)(1) through (C)(6) before allowing a student to care for patients or residents.
- E.** A nursing assistant training program shall utilize a nursing assistant textbook that has been published within the previous five years.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final

R4-19-803. Initial Approval of Nursing Assistant Training Programs

- A. An applicant for initial nursing assistant training program approval shall submit an application packet to the Board at least 90 days before the expected starting date of the program. An applicant shall submit application documents that are unbound, typed or word processed, single-sided, and on white, letter-size paper. The Board does not accept notebooks, spiral bound documents, manuals, books, or tabulations.
- B. The application packet for initial program approval shall include all of the following:
 - 1. Name, address, telephone number, and fax number of program;
 - 2. Identity of the program as a long-term care facility-based or other program;
 - 3. Name, license number, telephone number and qualifications of the program coordinator required in R4-19-801;
 - 4. Name, license number, telephone number and qualifications of each program instructor required in R4-19-801;
 - 5. Name and telephone number of the person with administrative oversight of the nursing assistant training program;
 - 6. Accreditation status of the applicant, if any, including the name of the accrediting body and date of last review;
 - 7. Name, address, telephone number, contact person, Department of Health Services (DHS) status, and most recent DHS review for all health care institutions where program classroom or clinical instruction will take place;
 - 8. Medicare certification status, if any;
 - 9. Evidence of compliance with R4-19-801 and R4-19-802, including all of the following:
 - a. Program description, consistent with R4-19-801(B) (1) and an implementation plan, including timelines;
 - b. Classroom facilities, equipment, and instructional tools available, consistent with R4-19-801(D)(4); and
 - c. Written curriculum, consistent with R4-19-802;
 - d. A copy of the documentation that the program will use to verify nurse assistant skills for each student, consistent with R4-19-801(B)(6)(a);
 - e. A copy of the document issued to the student upon completion of the program, consistent with R4-19-801(B)(5);
 - f. Textbook author, name, year of publication, and publisher; and
 - g. A copy of course policies, consistent with R4-19-801(B)(3) and, if applicable, R4-19-801(B)(4);
 - 10. For a Medicare or Medicaid certified long-term care facility-based program, a signed, sworn, and notarized document, executed by a program coordinator, affirming that the program does not require a nursing assistant student to pay a fee for any portion of the program including the state competency exam.
 - 11. For a Medicare or Medicaid long-term care facility-based program, the actual price of a textbook and other loaned equipment, if the program charges a student who does not return these items upon course completion, and any commercially available standard uniform, watch, pen, paper, duty shoes, and other commonly available personal items that are required for the course, for which a student may incur an expense.
- C. Following receipt and review of a complete application packet, the Board shall take one of the following actions:
 - 1. Schedule an onsite evaluation of the program and, if requirements are met, approve the program for a period not to exceed two years,
 - 2. Approve the program for a period that does not exceed one year if requirements are met, without an onsite visit, or
 - 3. Deny approval of the program if the applicant does not meet the requirements.
- D. A program shall not conduct classes before receiving program approval.
- E. If approval is in the best interest of the public, the Board shall grant initial approval to any applicant who meets requirements in A.R.S. Title 32, Chapter 15, and in this Article. If the Board denies approval, an applicant may request a hearing by filing a written request with the Board within 30 days of service of the Board's order denying the application for approval. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and 4 A.A.C. 19, Article 6.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-804. Renewal of Approval of Nursing Assistant Training Programs

- A. A nursing assistant training program applying for renewal of approval shall submit an application packet to the Board before expiration of the current approval. An applicant shall submit application documents that are unbound, typed or word processed, single-sided, and on white, letter-size paper. The Board does not accept notebooks, spiral bound documents, manuals, books, or tabulations.
 - 1. The application packet shall include the following:
 - a. A program description and course goals;
 - b. Name, license number, and qualifications under R4-19-801 of the current program coordinator and instructors, required in R4-19-801;
 - c. A copy of the current curriculum plan, which meets the requirements in R4-19-802;
 - d. Number of classes held, number of students who have completed the program, and the results of the state-approved written and manual skills tests, including first-time pass rate since the last program review;
 - e. A copy of course policies, consistent with R4-19-801;
 - f. Any change in resources, contracts, or clinical facilities since the previous approval;

- g. A copy of current student program evaluation forms, a summary of the evaluations for each cohort group, and measures taken by the program, if any, to improve the program based on student and instructor evaluation;
 - h. A sample of the certificate of completion issued to a graduate of the program containing the information required by R4-19-801(B)(5); and
 - i. Textbook author, name, year of publication, and publisher.
2. Following receipt of the application packet, a Board representative shall review the application packet for completeness under subsection (A)(1). In addition to the other requirements in this Section, an applicant shall provide evidence of at least one of the following to provide a complete application packet:
 - a. That at least one person has completed the program and the state-approved written and manual skills exam within the previous approval period;
 - b. If no graduates of the program completed the state-approved written and manual skills exam in the previous approval period, an explanation why Board approval is necessary for public protection, and a comprehensive plan to assist students to apply for testing and certification; or
 - c. If the program did not graduate any students in the previous approval period, a detailed plan including dates, marketing tools, and instructor name, which indicates that the program will be offered within the next six months.
 3. Upon receipt and review of a complete application packet the Board, through its authorized representative, shall evaluate the entity offering the program either in-person or by conference call. If a program is to be evaluated by means of a conference call, the Board shall issue a comprehensive request for information to the program for all of the following:
 4. A program that is evaluated by means of a conference call shall ensure that both the coordinator and all instructors are available to participate in the call.
 - a. A description of the classroom, supplies, and recordkeeping;
 - b. A copy of the records of three students; and
 - c. A copy of the course schedule for each cohort group.
 5. A Board representative shall evaluate each program and program site in-person at least once every four years. If a program or program site has received an in-person evaluation for the previous approval, no concerns are identified in the site-visit report, and there have been no complaints filed with the Board for two years following the approval, the program is eligible for a conference call evaluation.
- B.** Following a conference call or onsite evaluation, the Board shall renew program approval for two years if a program complies with R4-19-801 and R4-19-802 and renewal is in the best interest of the public. If the program does not comply, the Board shall issue a notice of deficiency under R4-19-805.
 - C.** If the Board denies renewal of approval, a program may request a hearing by filing a written request with the Board within 30 days of service of the Board's order denying the application for renewal of approval. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and 4 A.A.C. 19, Article 6.
 - D.** A program that is denied renewal of approval shall not apply for reinstatement of approval for two years from the date of the denial.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-805. Deficiencies and Rescission of Program Approval, Voluntary Termination, Disciplinary Action, and Reinstatement

A. Deficiencies and rescission of approval

1. Upon determining that a nursing assistant training program does not comply with this Article, the Board shall provide the program coordinator or an administrator who supervises the program with a written notice of deficiency. The Board shall establish a reasonable period of time, based upon the number and severity of deficiencies, for correction of the deficiencies. Under no circumstances, however, shall the period for correction of deficiencies exceed three months from the date of graduation of the next training class.
 - a. Within 10 days from the date that the notice of deficiency is served, the program shall file a plan of correction with the Board.
 - b. The Board may conduct periodic evaluations during the period of correction to ascertain progress in correcting the deficiencies.
 - c. The Board shall conduct at least one evaluation immediately following the period of correction to determine whether the program has corrected the deficiencies.
2. The Board may rescind the approval of a nursing assistant training program or take other disciplinary action under A.R.S. § 32-1663 based on the number and severity of violations for any of the following reasons:
 - a. Failure to file a plan of correction with the Board within 10 days of service of a notice of deficiency.
 - b. Failure to comply with R4-19-801 or R4-19-802 within the period set by the Board in the notice of deficiency;
 - c. Noncompliance with federal, state, or if applicable, private postsecondary requirements;
 - d. Failure to permit a scheduled or unannounced onsite evaluation, authorized by subsection R4-19-801(E);
 - e. Loaning or transferring program approval to another entity or facility, including a facility with the same ownership;

- f. Conducting a nursing assistant training program before approval is granted;
 - g. Conducting a nursing assistant training program after expiration of approval without filing an application for renewal of approval before the expiration date; or
 - h. If the program is conducted by a long-term care facility, charging for any portion of the program.
3. If the Board rescinds approval of a nursing assistant training program, the program may request a hearing by filing a written request with the Board within 30 days of service of the Board's order rescinding approval. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10, and 4 A.A.C. 19, Article 6.
 4. If the Board rescinds approval of a nursing assistant training program, the program shall not seek reinstatement for two years from the date of the rescission.
- B. Voluntary termination**
1. If a nursing assistant training program is being voluntarily terminated, the program coordinator or an administrator who supervises the program shall submit notice of termination to the Board.
 2. The program coordinator shall maintain the nursing assistant training program, including the instructors, until the last student is transferred or has completed the nursing assistant training program.
- C. Reinstatement**
1. If the Board rescinds approval of a nursing assistant training program, the program may apply for reinstatement after a period of two years by complying with the requirements of this Article.
 2. The applicant shall submit a complete application packet in writing that contains all of the information and documentation required by R4-19-803(B). The applicant shall provide substantial evidence that the basis for rescission no longer exists and that reinstatement of the program is in the best interest of the public.
 3. Unless the basis for rescission still exists, the Board shall reinstate a nursing assistant training program that otherwise meets the requirements of this Article. A program that is denied reinstatement may request a hearing by filing a written request with the Board within 30 days of service of the Board's order denying reinstatement. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and 4 A.A.C. 19, Article 6.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-806. Nursing Assistant Certification by Examination

- A.** An applicant for certification by examination shall submit the following information and documentation to the Board:
1. An application that contains all of the following information:
 - a. Full legal name;
 - b. Current address, including county of residence, and telephone number;
 - c. Date of birth;
 - d. Social Security number;
 - e. Educational background, including the name of the training program attended, and date of graduation;
 - f. Current employer, including address and telephone number, type of position, and dates of employment;
 - g. A list of all states in which the applicant is or has been registered as a nursing assistant and the certificate number, if any;
 - h. Responses to questions that address each of the following subjects:
 - i. Any pending disciplinary action by a nursing regulatory agency or nursing assistant regulatory agency in the United States or its territories or current investigation regarding the applicant's nursing license, nursing assistant license, or nursing assistant certificate in another state or territory of the United States;
 - ii. Felony conviction or conviction of an undesignated or other similar offense and the date of absolute discharge of sentence; and
 - iii. Unprofessional conduct as defined in A.R.S. § 32-1601;
 - iv. A written or electronic signature by the applicant on a statement attesting to the truthfulness of the information provided by the applicant.
 2. Proof of satisfactory completion of a nursing assistant training program that meets the requirements in subsection (B);
 3. One or more fingerprint cards, if required by A.R.S. § 32-1606; and
 4. Applicable fees.
- B.** An applicant for certification as a nursing assistant shall submit a passing score on a Board-approved nursing assistant examination and provide one of the following criteria:
1. Proof that the applicant has completed a Board-approved nursing assistant training program;
 2. Proof that the applicant has completed a nursing assistant training program approved in another state or territory of the United States consisting of at least 120 hours;
 3. Proof that the applicant has completed a nursing assistant program approved in another state or territory of the United States of at least 75 hours of instruction and proof of working as a nursing assistant for an additional number of hours that together with the hours of instruction, equal at least 120 hours; or
 4. Proof that the applicant either holds a valid nursing license in the U.S. or territories, has graduated from an approved nursing program, or otherwise meets educational requirements for a registered or practical nursing license in Arizona.

- C. An applicant who fails either the written or manual skills portion of the nursing assistant examination may retake the failed portion of the examination until a passing score is achieved. An applicant shall pass both portions of the nursing assistant examination within two years from the date of completion of the nursing assistant training program or meet the requirements in subsection (D).
- D. An applicant who does not pass an examination within the time period specified in subsection (C) shall repeat and complete a training program before being permitted to retake an examination.
- E. An applicant who has never taken the examination and provides proof of at least 160 hours of employment as a nursing assistant for every two-year period since completing a state-approved nursing assistant training program meets federal requirements to take the written and manual skills nursing assistant examination.
- F. The Board shall certify an applicant who meets the applicable criteria in this Article if certification is in the best interest of the public.
- G. An applicant who is denied nursing assistant certification may request a hearing by filing a written request with the Board within 30 days of service of the Board's order denying the application for certification. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and 4 A.A.C. 19, Article 6.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-807. Nursing Assistant Certification by Endorsement

- A. An applicant for nursing assistant certification by endorsement shall submit all of the information, documentation, and fees required in R4-19-806.
- B. An applicant whose current employment is less than one year shall list all employers during the past two years.
- C. An applicant for nursing assistant certification by endorsement shall meet the training program criteria in R4-19-806(B).
- D. In addition to the other requirements of this Section, an applicant for certification by endorsement shall provide evidence that the applicant:
 1. Is listed as active on a nursing assistant register or a substantially equivalent register by another state or territory of the United States; and
 2. Meets one or more of the following criteria:
 - a. Currently is working in nursing, performing nursing assistant activities, whether the job description or job title includes the term certified nursing assistant;
 - b. Has worked in nursing, performing nursing assistant activities, whether the job description or job title included the term "certified nursing assistant" for at least 160 hours within the past two years; or
 - c. Has completed a nursing assistant training program and passed the required examination within the past two years.
- E. The Board shall certify an applicant who meets the applicable criteria in this Article if certification is in the best interest of the public.
- F. An applicant who is denied nursing assistant certification may request a hearing by filing a written request with the Board within 30 days of service of the Board's order denying the application for certification. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and 4 A.A.C. 19, Article 6.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-808. Temporary Certificate

- A. Subject to subsection (B), the Board may issue a temporary nursing assistant certificate to an applicant who desires to work as a certified nursing assistant based on receipt or consideration of the following:
 1. A report from the Arizona Department of Public Safety, verifying that the Department has no criminal history record information, as that term is defined in A.R.S. § 41-1701, regarding the applicant; and
 2. An application for temporary nursing assistant certificate, furnished by the Board and completed by the applicant;
 3. The fee required under A.R.S. § 32-1643(A)(9); and
 4. Evidence that the applicant is qualified for:
 - a. Certification by endorsement under A.R.S. § 32-1648 and R4-19-807, through submission of documentation or an official statement from another state or territory of the United States, verifying that the applicant has a current certificate or an equivalent document from that state or territory; or
 - b. Certification by examination under A.R.S. § 32-1645 and R4-19-806.
- B. An applicant who discloses a disciplinary charge, substantiated complaint, criminal conviction, substance abuse, pending disciplinary charge, or a substantiated complaint by a regulatory agency, is not eligible for a temporary certificate without prior Board approval.
- C. Unless extended for good cause under subsection (D), a temporary certificate is valid for three months.
- D. A temporary certificate holder may apply and the Board or the Executive Director may grant an extension for good cause. Good cause means reasons beyond the control of the temporary certificate holder, such as unanticipated delays in obtaining information required for nursing assistant certification.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 8 A.A.R. 5004, effective November 15, 2002 (Supp. 02-4). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-809. Certified Nursing Assistant Certificate Renewal

- A.** A certified nursing assistant may apply for renewal of a certificate by submitting an application to the Board on or before the expiration date of the certificate.
1. The application packet shall include all of the following:
 - a. Full legal name;
 - b. Current address, including county of residence, and telephone number;
 - c. Date of birth;
 - d. Current employer;
 - e. If the applicant has not been employed as a nursing assistant, or performed nursing assistant activities, whether the job description or the job title included the term certified nursing assistant, as specified in subsection (A)(2), documentation that the applicant has completed a Board-approved nursing assistant training program and passed both the written and manual skills portions of the competency examination within the past two years;
 - f. Responses to questions that address the following subjects:
 - i. Pending disciplinary action by a nursing regulatory agency or nursing assistant regulatory agency in the United States or its territories or current investigation of the applicant's nursing license, nursing assistant license, or nursing assistant certificate in another state or territory of the United States,
 - ii. Felony conviction or conviction of undesignated offense and date of absolute discharge of sentence since certified or last renewed, and
 - iii. Unprofessional conduct as defined in A.R.S. § 32-1601;
 - g. A written or electronic signature by the applicant on a statement attesting to the truthfulness of the information provided.
 2. Documentation of proof of employment, such as a pay stub, W-2 form, or letter from an employer that verifies the applicant's employment as a nursing assistant or the applicant's performance of nursing assistant activities for a minimum of 160 hours within the past two years, and
 3. Applicable fees.
- B.** The certificate of a nursing assistant who fails to renew expires on the last day of the month of a certificate holder's birthdate.
1. A nursing assistant's responsibility to renew is not relieved by the nursing assistant's failure to obtain an application.
 2. A nursing assistant who fails to renew shall not work as a certified nursing assistant.
 3. Based on consideration of a nursing assistant's record regarding timely renewal, the Board may impose a late fee on a nursing assistant who fails to renew certification in a timely manner.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-810. Certified Nursing Assistant Register

- A.** The Executive Director shall include the following information in the Register for each individual who receives Board certification:
1. Full legal name and any other names used;
 2. Address of record;
 3. County of residence;
 4. The date of initial placement on the register;
 5. Dates and results of both the written and manual skills portions of the nursing assistant competency examination;
 6. Date of expiration of current certificate, if applicable;
 7. Existence of pending investigation, if applicable; and
 8. Status of certificate, such as active, denied, expired, or revoked, as applicable.
- B.** The Executive Director shall include the following information in the Register for an individual if the Board, or the United States Department of Health and Human Services (HHS), or the Arizona Department of Health Services finds that the individual has violated relevant law:
1. For a finding by the Board or HHS, the Executive Director shall include:
 - a. The finding, including the date of the decision, and a reference to each statute, rule, or regulation violated; and
 - b. The sanction, if any, including the date of action and the duration of action, if time-limited.
 2. For a finding by the Arizona Department of Health Services, the Executive Director shall include:
 - a. The allegation;
 - b. Documentation of the investigation, including:
 - i. Nature of allegation, and
 - ii. Evidence supporting the finding;

- c. Date of hearing, if any, or the date that the complaint was substantiated;
- d. Statement disputing the allegation, if any;
- e. The finding, including the date of the decision and a reference to each statute or rule violated; and
- f. The sanction, including the dates of action and the duration of the sanction, if time-limited.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-811. Application for Duplicate Certificate

- A. A certified nursing assistant shall report a lost or stolen certificate to the Board within 30 days of discovery of the loss.
- B. A certified nursing assistant shall make a written request for a duplicate certificate to the Board, provide a notarized signature or proof of identification, and pay the applicable fee.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1).

R4-19-812. Change of Name or Address

- A. An applicant or a certified nursing assistant, who legally changes names, shall notify the Board in writing within 30 days of any name change. The applicant or certified nursing assistant shall submit a copy of any official document evidencing the name change.
- B. An applicant or a certified nursing assistant shall notify the Board in writing within 30 days of any address change.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-813. Performance of Nursing Assistant Tasks

- A. A certified nursing assistant may perform the following:
 - 1. Tasks for which the nursing assistant has been trained through the curriculum identified in R4-19-802, and
 - 2. Tasks learned through inservice or educational training if the task meets the following criteria and the nursing assistant has demonstrated competence performing the task:
 - a. The task can be safely performed according to clear, exact, and unchanging directions;
 - b. The task poses minimal risk to the patient or resident and the consequences of performing the task improperly are not life-threatening or irreversible;
 - c. The results of the task are reasonably predictable; and
 - d. Assessment, interpretation, or decision-making is not required during the performance or at the completion of the task.
- B. A nursing assistant may not perform any task that requires a judgment based on nursing knowledge, such as the administration of medications.
- C. A nursing assistant shall:
 - 1. Recognize the limits of the nursing assistant's personal knowledge, skills, and abilities;
 - 2. Comply with laws relevant to nursing assistant practice;
 - 3. Inform the registered nurse, licensed practical nurse, or another person authorized to delegate the task about the nursing assistant's ability to perform the task before accepting the assignment;
 - 4. Accept delegation, instruction, and supervision from a professional or practical nurse or another person authorized to delegate a task;
 - 5. Acknowledge responsibility for personal actions necessary to complete an accepted assigned task;
 - 6. Follow the plan of care, if available;
 - 7. Observe, report, and record signs, symptoms, and changes in the patient or resident's condition in an ongoing and timely manner; and
 - 8. Retain responsibility for the assigned task without delegating it to another person.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4).

R4-19-814. Standards of Conduct for Certified Nursing Assistants (Awaiting Publication by Secretary of State effective February 2, 2009)

For purposes of A.R.S. § 32-1601(16)(d), a practice or conduct that is or might be harmful or dangerous to the health of a patient or the public and constitutes a basis for disciplinary action on a certificate includes the following:

- 1. Failing to maintain professional boundaries or engaging in a dual relationship with a patient, resident, or any member of the patient's or resident's family;

2. Engaging in sexual conduct with a patient, resident, or any member of the patient's or resident's family who does not have a pre-existing relationship with the nursing assistant, or any conduct in the work place that a reasonable person would interpret as sexual;
3. Leaving an assignment or abandoning a patient or resident who requires care without properly notifying the immediate supervisor;
4. Failing to accurately document care and treatment provided to a patient or resident;
5. Falsifying or making a materially incorrect entry in a health care record;
6. Failing to follow an employer's policies and procedures, designed to safeguard the patient or resident;
7. Failing to take action to protect a patient or resident whose safety or welfare is at risk from potential or actual incompetent health care practice, or to report the practice to the immediate supervisor or a facility administrator;
8. Failing to report signs, symptoms, and changes in patient or resident conditions to the immediate supervisor in an ongoing and timely manner;
9. Violating the rights or dignity of a patient or resident;
10. Violating a patient or resident's right of privacy by disclosing confidential information or knowledge concerning the patient or resident, unless disclosure is otherwise required by law;
11. Neglecting or abusing a patient or resident physically, verbally, emotionally, or financially;
12. Soliciting, or borrowing, property or money from a patient or resident, or any member of the patient's or resident's family;
13. Removing, without authorization, any money, property, or personal possessions, or requesting payment for services not performed from a patient, resident, employer, co-worker, or member of the public.
14. Repeated use or being under the influence of alcohol, medication, or any other substance to the extent that judgment may be impaired and practice detrimentally affected or while on duty in any work setting;
15. Accepting patient or resident care tasks that the nursing assistant lacks the education or competence to perform;
16. Removing, without authorization, narcotics, drugs, supplies, equipment, or medical records from any work setting;
17. Obtaining, possessing, using, or selling any narcotic, controlled substance, or illegal drug in violation of any employer policy or any federal or state law;
18. Permitting or assisting another person to use the nursing assistant's certificate or identity for any purpose;
19. Making untruthful or misleading statements in advertisements of the individual's practice as a certified nursing assistant;
20. Offering or providing certified nursing assistant services for compensation without a designated registered nurse supervisor;
21. Threatening, harassing, or exploiting an individual;
22. Using violent or abusive behavior in any work setting;
23. Failing to cooperate with the Board during an investigation by:
 - a. Not furnishing in writing a complete explanation of a matter reported under A.R.S. § 32-1664;
 - b. Not responding to a subpoena issued by the Board;
 - c. Not completing and returning a Board-issued questionnaire within 30 days; or
 - d. Not informing the Board of a change of address or phone number within 10 days of each change;
24. Engaging in fraud or deceit regarding the certification exam or an initial or renewal application for certification;
25. Making a written false or inaccurate statement to the Board or the Board's designee during the course of an investigation;
26. Making a false or misleading statement on a nursing assistant or health care related employment or credential application concerning previous employment, employment experience, education, or credentials;
27. If an applicant or certified nursing assistant is charged with a felony or a misdemeanor, involving conduct that may affect patient safety, failing to notify the Board, in writing, within 10 days of being charged under A.R.S. § 32-3208. The applicant or certified nursing assistant shall include the following in the notification:
 - a. Name, current address, telephone number, Social Security number, and license number, if applicable;
 - b. Date of the charge; and
 - c. Nature of the offense;
28. Failing to notify the Board, in writing, of a conviction for a felony or an undesignated offense within 10 days of the conviction. The nursing assistant or applicant shall include the following in the notification:
 - a. Name, current address, telephone number, Social Security number, and license number, if applicable;
 - b. Date of the conviction;
 - c. Nature of the offense; and
29. Practicing in any other manner that gives the Board reasonable cause to believe that the health of a patient, resident, or the public may be harmed.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1). Amended by final rulemaking at 11 A.A.R. 4254, effective December 5, 2005 (Supp. 05-4). Approved by Governor's Regulatory Review Council, December 2, 2008

R4-19-815. Reinstatement or Issuance of a Nursing Assistant Certificate

An applicant whose application is denied or a nursing assistant whose certificate is revoked in accordance with A.R.S. § 32-1663, may reapply to the Board after a period of five years from the date the certificate or application is revoked or denied. A nursing assistant who voluntarily surrenders a nursing assistant certificate may reapply to the Board after no less than three years from the date the certificate is surrendered. The Board shall issue or reinstate a nursing assistant certificate under the following terms and conditions:

1. An applicant shall submit documentation showing that the basis for denial, revocation or voluntary surrender has been removed and that the issuance or reinstatement of nursing assistant certification will no longer constitute a threat to the public health or safety. The Board may require an applicant to be tested for competency, or retake and successfully complete a Board approved training program and pass the required examination.
2. The Board shall consider the application and may designate a time for the applicant to address the Board at a regularly scheduled meeting.
3. After considering the application, the Board may:
 - a. Grant nursing assistant certification, or
 - b. Deny the application.
4. An applicant who is denied issuance or reinstatement of nursing assistant certification may request a hearing by filing a written request with the Board within 30 days of service of the Board's order denying issuance or reinstatement of nursing assistant certification. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 6.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 757, effective February 4, 2000 (Supp. 00-1).

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Sec. 483.150: Statutory basis; Deemed meeting or waiver of requirements. Source: 56 FR 48919, Sept. 26, 1991, unless otherwise noted.

(a) Statutory basis. This subpart is based on sections 1819(b)(5) and 1919(b)(5) of the Act, which establish standards for training nurse-aides and for evaluating their competency.

(b) Deemed meeting of requirements. A nurse aide is deemed to satisfy the requirement of completing a training and competency evaluation approved by the State if he or she successfully completed a training and competency evaluation program before July 1, 1989 if:

- (1) The aide would have satisfied this requirement if:
 - (i) At least 60 hours were substituted for 75 hours in sections 1819(f)(2) and 1919(f)(2) of the Act, and
 - (ii) The individual has made up at least the difference in the number of hours in the program he or she completed and 75 hours in supervised practical nurse aide training or in regular in-service nurse aide education; or
- (2) The individual was found to be competent (whether or not by the State) after the completion of nurse aide training of at least 100 hours duration.

(c) Waiver of requirements. A State may:

- (1) Waive the requirement for an individual to complete a competency evaluation program approved by the State for any individual who can demonstrate to the satisfaction of the State that he or she has served as a nurse aide at one or more facilities of the same employer in the state for at least 24 consecutive months before December 19, 1989; or
- (2) Deem an individual to have completed a nurse aide training and competency evaluation program approved by the State if the individual completed, before July 1, 1989, such a program that the State determines would have met the requirements for approval at the time it was offered.

[56 FR 48919, Sept. 26, 1991; 56 FR 59331, Nov. 25, 1991, as amended at 60 FR 50443, Sept. 29, 1995]

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Sec. 483.151: State review and approval of nurse aide training and competency evaluation programs and competency evaluation programs.

(a) State review and administration.

(1) The State:

- (i) Must specify any nurse aide training and competency evaluation programs that the State approves as meeting the requirements of Sec. 483.152 and/or competency evaluations programs that the State approves as meeting the requirements of Sec. 483.154; and
- (ii) May choose to offer a nurse aide training and competency evaluation program that meets the requirements of Sec. 483.152 and/or a competency evaluation program that meets the requirements of Sec. 483.154.

- (2) If the State does not choose to offer a nurse aide training and competency evaluation program or competency evaluation program, the State must review and approve or disapprove nurse aide training and competency evaluation programs and nurse aide competency evaluation programs upon request.
 - (3) The State survey agency must in the course of all surveys, determine whether the nurse aide training and competency evaluation requirements of Sec. 483.75(e) are met.
- (b) Requirements for approval of programs.
- (1) Before the State approves a nurse aide training and competency evaluation program or competency evaluation program, the State must--
 - (i) Determine whether the nurse aide training and competency evaluation program meets the course requirements of Sec. Sec. 483.152;
 - (ii) Determine whether the nurse aide competency evaluation program meets the requirements of Sec. 483.154; and
 - (iii) In all reviews other than the initial review, visit the entity providing the program.
 - (2) The State may not approve a nurse aide training and competency evaluation program or competency evaluation program offered by or in a facility which, in the previous two years--
 - (i) In the case of a skilled nursing facility, has operated under a waiver under section 1819(b)(4)(C)(ii)(II) of the Act;
 - (ii) In the case of a nursing facility, has operated under a waiver under section 1919(b)(4)(C)(ii) of the Act that was granted on the basis of a demonstration that the facility is unable to provide nursing care required under section 1919(b)(4)(C)(i) of the Act for a period in excess of 48 hours per week;
 - (iii) Has been subject to an extended (or partial extended) survey under sections 1819(g)(2)(B)(i) or 1919(g)(2)(B)(i) of the Act;
 - (iv) Has been assessed a civil money penalty described in section 1819(h)(2)(B)(ii) of 1919(h)(2)(A)(ii) of the Act of not less than \$5,000; or
 - (v) Has been subject to a remedy described in sections 1819(h)(2)(B) (i) or (iii), 1819(h)(4), 1919(h)(1)(B)(i), or 1919(h)(2)(A) (i), (iii) or (iv) of the Act.
 - (3) A State may not, until two years since the assessment of the penalty (or penalties) has elapsed, approve a nurse aide training and competency evaluation program or competency evaluation program offered by or in a facility that, within the two-year period beginning October 1, 1988:
 - (i) Had its participation terminated under title XVIII of the Act or under the State plan under title XIX of the Act;
 - (ii) Was subject to a denial of payment under title XVIII or title XIX;
 - (iii) Was assessed a civil money penalty of not less than \$5,000 for deficiencies in nursing facility standards;

- (iv) Operated under temporary management appointed to oversee the operation of the facility and to ensure the health and safety of its residents; or
 - (v) Pursuant to State action, was closed or had its residents transferred.
- (c) Time frame for acting on a request for approval. The State must, within 90 days of the date of a request under paragraph (a)(3) of this section or receipt of additional information from the requester--
- (1) Advise the requester whether or not the program has been approved; or
 - (2) Request additional information from the requesting entity.
- (d) Duration of approval. The State may not grant approval of a nurse aide training and competency evaluation program for a period longer than 2 years. A program must notify the State and the State must review that program when there are substantive changes made to that program within the 2-year period.
- (e) Withdrawal of approval.
- (1) The State must withdraw approval of a nurse aide training and competency evaluation program or nurse aide competency evaluation program offered by or in a facility described in paragraph (b)(2) of this section.
 - (2) The State may withdraw approval of a nurse aide training and competency evaluation program or nurse aide competency evaluation program if the State determines that any of the applicable requirements of Sec. Sec. 483.152 or 483.154 are not met by the program.
 - (3) The State must withdraw approval of a nurse aide training and competency evaluation program or a nurse aide competency evaluation program if the entity providing the program refuses to permit unannounced visits by the State.
 - (4) If a State withdraws approval of a nurse aide training and competency evaluation program or competency evaluation program--
 - (i) The State must notify the program in writing, indicating the reason(s) for withdrawal of approval of the program.
 - (ii) Students who have started a training and competency evaluation program from which approval has been withdrawn must be allowed to complete the course.

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

- (a) For a nurse aide training and competency evaluation program to be approved by the State, it must, at a minimum:
 - (1) Consist of no less than 75 clock hours of training;
 - (2) Include at least the subjects specified in paragraph (b) of this section;
 - (3) Include at least 16 hours of supervised practical training. Supervised practical training means training in a laboratory or other setting in which the trainee demonstrates knowledge while performing tasks on an individual under the direct supervision of a registered nurse or a licensed practical nurse;
 - (4) Ensure that:
 - (i) Students do not perform any services for which they have not trained and been found proficient by the instructor; and
 - (ii) Students who are providing services to residents are under the general supervision of a licensed nurse or a registered nurse;
 - (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;
 - (iii) In a facility-based program, the training of nurse aides may be performed under the general supervision of the director of nursing for the facility who is prohibited from performing the actual training; and
 - (iv) Other personnel from the health professions may supplement the instructor, including, but not limited to, registered nurses, licensed practical/vocational nurses, pharmacists, dietitians, social workers, sanitarians, fire safety experts, nursing home administrators, gerontologists, psychologists, physical and occupational therapists, activities specialists, speech/language/hearing therapists, and resident rights experts. Supplemental personnel must have at least 1 year of experience in their fields;
 - (6) Contain competency evaluation procedures specified in Sec. 483.154.

- (b) The curriculum of the nurse aide training program must include--
- (1) At least a total of 16 hours of training in the following areas prior to any direct contact with a resident:
 - (i) Communication and interpersonal skills;
 - (ii) Infection control;
 - (iii) Safety/emergency procedures, including the Heimlich maneuver;
 - (iv) Promoting residents' independence; and
 - (v) Respecting residents' rights.
 - (2) Basic nursing skills;
 - (i) Taking and recording vital signs;
 - (ii) Measuring and recording height and weight;
 - (iii) Caring for the residents' environment;
 - (iv) Recognizing abnormal changes in body functioning and the importance of reporting such changes to a supervisor; and
 - (v) Caring for residents when death is imminent.
 - (3) Personal care skills, including, but not limited to--
 - (i) Bathing;
 - (ii) Grooming, including mouth care;
 - (iii) Dressing;
 - (iv) Toileting;
 - (v) Assisting with eating and hydration;
 - (vi) Proper feeding techniques;
 - (vii) Skin care; and
 - (viii) Transfers, positioning, and turning.
 - (4) Mental health and social service needs:
 - (i) Modifying aide's behavior in response to residents' behavior;
 - (ii) Awareness of developmental tasks associated with the aging process;
 - (iii) How to respond to resident behavior;
 - (iv) Allowing the resident to make personal choices, providing and reinforcing other behavior consistent with the resident's dignity; and
 - (v) Using the resident's family as a source of emotional support.
 - (5) Care of cognitively impaired residents:
 - (i) Techniques for addressing the unique needs and behaviors of individual with dementia (Alzheimer's and others);
 - (ii) Communicating with cognitively impaired residents;
 - (iii) Understanding the behavior of cognitively impaired residents;
 - (iv) Appropriate responses to the behavior of cognitively impaired residents; and
 - (v) Methods of reducing the effects of cognitive impairments.
 - (6) Basic restorative services:
 - (i) Training the resident in self care according to the resident's abilities;
 - (ii) Use of assistive devices in transferring, ambulation, eating, and dressing;
 - (iii) Maintenance of range of motion;
 - (iv) Proper turning and positioning in bed and chair;

- (v) Bowel and bladder training; and
 - (vi) Care and use of prosthetic and orthotic devices.
- (7) Residents' Rights.
- (i) Providing privacy and maintenance of confidentiality;
 - (ii) Promoting the residents' right to make personal choices to accommodate their needs;
 - (iii) Giving assistance in resolving grievances and disputes;
 - (iv) Providing needed assistance in getting to and participating in resident and family groups and other activities;
 - (v) Maintaining care and security of residents' personal possessions;
 - (vi) Promoting the resident's right to be free from abuse, mistreatment, and neglect and the need to report any instances of such treatment to appropriate facility staff;
 - (vii) Avoiding the need for restraints in accordance with current professional standards.

(c) Prohibition of charges.

- (1) No nurse aide who is employed by, or who has received an offer of employment from, a facility on the date on which the aide begins a nurse aide training and competency evaluation program may be charged for any portion of the program (including any fees for textbooks or other required course materials).
- (2) 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 training and 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.

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Sec. 483.154: Nurse aide competency evaluation.

- (a) Notification to Individual. The State must advise in advance any individual who takes the competency evaluation that a record of the successful completion of the evaluation will be included in the State's nurse aid registry.
- (b) Content of the competency evaluation program:
 - (1) Written or oral examinations. The competency evaluation must--
 - (i) Allow an aide to choose between a written and an oral examination;
 - (ii) Address each course requirement specified in Sec. 483.152(b);
 - (iii) Be developed from a pool of test questions, only a portion of which is used in any one examination;
 - (iv) Use a system that prevents disclosure of both the pool of questions and the individual competency evaluations; and
 - (v) If oral, must be read from a prepared text in a neutral manner.
 - (2) Demonstration of skills. The skills demonstration must consist of a demonstration of randomly selected items drawn from a pool consisting of the tasks generally performed by nurse aides. This pool of skills must include all of the personal care skills listed in Sec. 483.152(b)(3).
- (c) Administration of the competency evaluation.
 - (1) The competency examination must be administered and evaluated only by:
 - (i) The State directly; or
 - (ii) A State approved entity which is neither a skilled nursing facility that participates in Medicare nor a nursing facility that participates in Medicaid.
 - (2) No nurse aide who is employed by, or who has received an offer of employment from, a facility on the date on which the aide begins a nurse aide competency evaluation program may be charged for any portion of the program.
 - (3) 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.
 - (4) The skills demonstration part of the evaluation must be:
 - (i) Performed in a facility or laboratory setting comparable to the setting in which the individual will function as a nurse aide; and

- (ii) Administered and evaluated by a registered nurse with at least one year's experience in providing care for the elderly or the chronically ill of any age.
- (d) Facility proctoring of the competency evaluation.
 - (1) The competency evaluation may, at the nurse aide's option, be conducted at the facility in which the nurse aide is or will be employed unless the facility is described in Sec. 483.151(b)(2).
 - (2) The State may permit the competency evaluation to be proctored by facility personnel if the State finds that the procedure adopted by the facility assures that the competency evaluation program:
 - (i) Is secure from tampering;
 - (ii) Is standardized and scored by a testing, educational, or other organization approved by the State; and
 - (iii) Requires no scoring by facility personnel.
 - (3) The State must retract the right to proctor nurse aide competency evaluations from facilities in which the State finds any evidence of impropriety, including evidence of tampering by facility staff.
- (e) Successful completion of the competency evaluation program.
 - (1) The State must establish a standard for satisfactory completion of the competency evaluation. To complete the competency evaluation successfully an individual must pass both the written or oral examination and the skills demonstration.
 - (2) A record of successful completion of the competency evaluation must be included in the nurse aide registry provided in Sec. 483.156 within 30 days of the date if the individual is found to be competent.
- (f) Unsuccessful completion of the competency evaluation program.
 - (1) If the individual does not complete the evaluation satisfactorily, the individual must be advised:
 - (i) Of the areas which he or she; did not pass; and
 - (ii) That he or she has at least three opportunities to take the evaluation.
 - (2) The State may impose a maximum upon the number of times an individual upon the number of times an individual may attempt to complete the competency evaluation successfully, but the maximum may be no less than three.

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Sec. 483.156: Registry of nurse aides.

- (a) Establishment of registry. The State must establish and maintain a registry of nurse aides that meets the requirement of this section. The registry:
 - (1) Must include as a minimum the information contained in paragraph (c) of this section:
 - (2) Must be sufficiently accessible to meet the needs of the public and health care providers promptly;
 - (3) May include home health aides who have successfully completed a home health aide competency evaluation program approved by the State if home health aides are differentiated from nurse aides; and
 - (4) Must provide that any response to an inquiry that includes a finding of abuse, neglect, or misappropriation of property also include any statement disputing the finding made by the nurse aide, as provided under paragraph (c)(1)(ix) of this section.

- (b) Registry operation.
 - (1) The State may contract the daily operation and maintenance of the registry to a non-State entity. However, the State must maintain accountability for overall operation of the registry and compliance with these regulations.
 - (2) Only the State survey and certification agency may place on the registry findings of abuse, neglect, or misappropriation of property.
 - (3) The State must determine which individuals who
 - (i) have successfully completed a nurse aide training and competency evaluation program or nurse aide competency evaluation program;
 - (ii) have been deemed as meeting these requirements; or
 - (iii) have had these requirements waived by the State do not qualify to remain on the registry because they have performed no nursing or nursing-related services for a period of 24 consecutive months.
 - (4) The State may not impose any charges related to registration on individuals listed in the registry.
 - (5) The State must provide information on the registry promptly.

- (c) Registry Content.

- (1) The registry must contain at least the following information on each individual who has successfully completed a nurse aide training and competency evaluation program which meets the requirements of Sec. 483.152 or a competency evaluation which meets the requirements of Sec. 483.154 and has been found by the State to be competent to function as a nurse aide or who may function as a nurse aide because of meeting criteria in Sec. 483.150:
 - (i) The individual's full name.
 - (ii) Information necessary to identify each individual;
 - (iii) The date the individual became eligible for placement in the registry through successfully completing a nurse aide training and competency evaluation program or competency evaluation program or by meeting the requirements of Sec. 483.150; and
 - (iv) The following information on any finding by the State survey agency of abuse, neglect, or misappropriation of property by the individual:
 - (A) Documentation of the State's investigation, including the nature of the allegation and the evidence that led the State to conclude that the allegation was valid;
 - (B) The date of the hearing, if the individual chose to have one, and its outcome; and
 - (C) A statement by the individual disputing the allegation, if he or she chooses to make one; and
 - (D) This information must be included in the registry within 10 working days of the finding and must remain in the registry permanently, unless the finding was made in error, the individual was found not guilty in a court of law, or the State is notified of the individual's death.
 - (2) The registry must remove entries for individuals who have performed no nursing or nursing-related services for a period of 24 consecutive months, unless the individual's registry entry includes documented findings of abuse, neglect, or misappropriation of property.
- (d) Disclosure of information. The State must:
- (1) Disclose all of the information in Sec. 483.156(c)(1) (iii) and (iv) to all requesters and may disclose additional information it deems necessary; and
 - (2) Promptly provide individuals with all information contained in the registry on them when adverse findings are placed on the registry and upon request. Individuals on the registry must have sufficient opportunity to correct any misstatements or inaccuracies contained in the registry.

[56 FR 48919, Sept. 26, 1991; 56 FR 59331, Nov. 25, 1991]

[Code of Federal Regulations]
[Title 42, Volume 4]

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TITLE 42--PUBLIC HEALTH

CHAPTER IV CENTERS FOR MEDICARE & MEDICAID SERVICES, DEPARTMENT OF HEALTH AND HUMAN SERVICES (CONTINUED)

PART 483 REQUIREMENTS FOR STATES AND LONG TERM CARE FACILITIES-- Table of Contents

Subpart D: Requirements That Must Be Met by States and State Agencies: Nurse Aide
Training and Competency Evaluation, and Paid Feeding Assistants

Sec. 483.158: FFP for nurse aide training and competency evaluation.

- (a) State expenditures for nurse aide training and competency evaluation programs and competency evaluation programs are administrative costs. They are matched as indicated in Sec. 433.15(b)(8) of this chapter.
- (b) FFP is available for State expenditures associated with nurse aide training and competency evaluation programs and competency evaluation programs only for:
 - (1) Nurse aides employed by a facility;
 - (2) Nurse aides who have an offer of employment from a facility;
 - (3) Nurse aides who become employed by a facility not later than 12 months after completing a nurse aide training and competency evaluation program or competency evaluation program; or
 - (4) Nurse aides who receive an offer of employment from a facility not later than 12 months after completing a nurse aide training and competency evaluation program or competency evaluation program.

DOCUMENTATION USED BY BOARD STAFF ON SITE VISITS

The following documents are included for your information only:
Notice of Inspection Rights: Disclosure Verification
Site Visit Report

NOTICE OF INSPECTION RIGHTS: DISCLOSURE VERIFICATION

Premises Subject to Inspection/Examination
Name: _____
Location: _____
Mailing Address (if different): _____
Telephone: _____

[Agency] Information	
Date of Inspection: ___/___/___	Time: _____
Inspector/Examiner: _____	
Accompanied by: _____	

1. This inspection is conducted under the authority of Arizona revised Statutes (A.R.S.) § 32-1606 (B) 2 (NA programs); 32-1644(B) (new RN/PN programs); 32-1644 (D) existing RN/PN programs); 32-1644 (C) (nationally accredited programs)
2. The purpose of this inspection is:

To determine compliance with Arizona Administrative Code (A.A.C.)
R4-19-201-206 (RN/PN programs)
R4-19-801-804 (C.N.A. programs) and
Code of Federal Regulations: 42 CFR s483.150-152 &154 (C.N.A. programs)
3. An authorized representative of this facility may accompany the inspector(s) during the inspection conducted on these premises, except during any confidential interview.

SCHOOL CODE: _____

4. You have the right to receive copies of any original documents taken by the inspector(s) during the inspection in those cases where the agency has authority to take original documents.
5. Each person interviewed during this inspection will be informed that statements made by the person may be included in the inspection report.
6. Each person whose conversation is tape recorded during the inspection will be informed that the conversation is being tape recorded.
7. If you have questions regarding this inspection, you may contact: Pamela K. Randolph, RN, MS, Associate Director of Education and Evidence-based Regulation at (602) 771-7803 prandolph@azbn.gov; or Lila Van Cuyk, RN, BSN, Education Consultant at (602) 771-7857 lvancuyk@azbn.gov.
8. You have the right to appeal a final decision of the [agency] if any administrative order is issued or other enforcement action is taken based on the results of this inspection. Administrative hearing rights are found in A.R.S. § 41-1092 *et seq.*, and rights relating to appeal of a final agency decision are found in A.R.S. § 12-901 *et seq.*
9. If you have questions regarding your right to appeal an enforcement action taken by the agency based on the results of this inspection, you may contact:

Office of Ombudsman-Citizens' Aide
3737 North 7th Street, Suite 209
Phoenix, AZ 85014
(602) 277-7292; 1(800) 872-2879
Fax: (602) 277-7312
Website: www.azleg.state.az.us/ombudsman/default.htm
Email: ombuds@azoca.gov

VERIFICATION

Upon entry on to the premises for this inspection, the agency inspector/investigator identified above presented documentation that they are agency employees or authorized agents and photo identification and review with me the above Notice of Inspection Rights. I have read the disclosures above and am notified of my inspection and due process rights as listed above. I understand that while I have the right to decline to sign this form, the agency representatives may nevertheless proceed with the inspection/examination.

Signature and Title of Licensee or Authorized
On-Site Representative

Date

Name of Licensee or Authorized On-Site
Representative, Refused to Sign this Form

Date

Signature of Inspector/Investigator

Date

Janice K. Brewer
Governor



Joey Ridenour
Executive Director

Arizona State Board of Nursing

**NURSING ASSISTANT TRAINING PROGRAM
SITE-VISIT REPORT**

The following site visit report is used as a tool for evaluation of compliance with state and federal laws regarding nursing assistant training. Once granted approval the initial or renewing program will receive the completed report.

Name of School		Code #----	
Contact Address City, State Zip		Telephone Number Office Telephone Number Fax Email Address	
Consolidated Sites			
Application Date			
Date of Site Visit			
Type of Program	<input type="checkbox"/> Nursing Facility <input type="checkbox"/> Home Health Agency <input type="checkbox"/> Hospital	<input type="checkbox"/> Private School <input type="checkbox"/> High School <input type="checkbox"/> Skill Center	<input type="checkbox"/> Community College <input type="checkbox"/> University <input type="checkbox"/> Other _____
Purpose of Visit			
Person(s) Interviewed:			
Original Approval			
Relevant History:			
Recommendation to Executive Director			
Additional Comments:			
OFFICIAL USE ONLY			
<input type="checkbox"/> Approved		<input type="checkbox"/> Denied	
Comments:			
Signature - Executive Director		Date Approved or Denied	

PROGRAM STAFF - R4-19-801C

Coordinator
Job Description R4-19-801C(3): A program coordinator shall: a. Supervise and evaluate the program; b. Ensure that instructors meet Board qualifications; and; c. Ensure that the written policies in subsection (B) are available to students on or before the first day of the program.

<u>Coordinator Qualifications Met:</u> <ul style="list-style-type: none"> · Unencumbered RN License · 2 Years Overall Nursing Experience · 1 Year Long-term Care 	Name of Coordinator:
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Instructor
Job Description R4-19-801 C(4): For classroom and clinical, excluding hours spent in a traineeship, a program instructor shall: a. Plan each learning experience; b. Accomplish course goals and lesson objectives; c. Enforce a grading policy that meets or exceeds the requirements of subsection (B)(3)(b); d. Require satisfactory performance of all critical elements of each nursing assistant skill under R4-19-802(C); e. Prevent a student from performing an activity unless the student has received instruction and been found to competently perform the activity; f. Supervise any student who provides care to clients in clinical areas, consistent with the requirements of subsection (B)(3)(e); g. Be present in the classroom during all instruction; and h. Supervise health care professionals and clinical instructors who assist in providing program instruction.

<u>Instructor Qualifications Met:</u> <ul style="list-style-type: none"> · Unencumbered RN License · One or More of the Following <ul style="list-style-type: none"> · Course Credit · Experience Teaching · CNA Supervision 	List Instructor(s):
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<p>Supplemental Instructors R4-19-801C(6) A certified or licensed health care professional shall not assist the program instructor unless the health care professional has at least one year of experience in the field of licensure or certification and the learning activity is within the scope of practice of the licensee or certificate holder. A certified nursing assistant shall not provide classroom or clinical instruction in a nursing assistant training program.</p>	List Supplemental Instructor(s):
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STUDENT DATA

Average Number in Class (Only 10 students per instructor.)		
Number Trained in Last 2 Years (At least one class held in previous approval period.)		
Pass Rate (At least one graduate took the certification exam within previous approval period.)	Written	Manual

PROGRAM DOCUMENTS CHECKLIST			
Reviewed	Rule Citation	Document	Comments
	R4-19-801B(1)	Written Program Description Length of program, number of didactic hours, directly supervised clinical hours, clinical hours in long-term care, traineeship hours if applicable.	
	R4-19-801B(1)	Purpose Goals and Objectives Purpose and goals are consistent with federal, state and, if applicable, parent institution and/or postsecondary board. Objectives are measurable and relevant.	
	R4-19-801B(5)	Certificate of Completion Includes program name and address; number of classroom, clinical, and traineeship hours; end date of program; program number; signature of program coordinator, instructor and/or administrator of facility.	
	R4-19-801B(16) and D	Skills Check List Contains documentation of competency of all skills identified in R4-19-802(C).	

CURRICULUM			
Reviewed	Rule Citation	Document	Comments
	R4-19-802(B)	Current Curriculum on File Evidence that written curriculum plan given to each student. Includes: course objectives, measurable student centered objectives identified for each course unit; course content; time allotted for each unit; learning activities and assignments.	Entire curriculum verified on site.
	R4-19-802(B)	Curriculum Provided to Students	
	R4-19-802(A)	Curriculum Meets Minimum Hour Requirements Minimum of 120 program hours that includes at least 60 hours of didactic instruction, at least 40 hours of direct clinical supervision and at least 20 hours of clinical experience in a long-term care facility.	
	R4-19-801D(5)	Course Schedule Identifies the days, didactic/clinical hours, and, if applicable traineeship hours.	

CLINICAL CONTRACTS			
Reviewed	Rule Citation	Document	Comments
	R4-19-801B(2)	<p>Non-Facility Programs Written agreement between the program and each external clinical facility which defines rights and responsibilities of the program and the clinical facility; the role and authority of the governing bodies of both the clinical facility and the program; identifies that program instructors have the right to select learning experiences; contains a termination clause.</p> <p>List of Facilities:</p>	
	R4-19-803B(10)	<p>Facility Programs Affidavit affirming that the program does not require a student to pay a fee for any portion of the program.</p>	
	R4-19-801B(4)	<p>Optional Advanced Placement Policy for experienced nursing assistants who have one year nursing assistant experience; written exam; skill test; 16 hours and LTC clinical.</p>	
POLICIES – R4-19-801B(3)			
Reviewed	Policies Provided to Students		Comments
	<p>Policy Statements all are dated, identify effective dates, reviewed dates and revision dates are consistent with parent institution Policies & Procedures, and includes policies addressing:</p>		
	<p>Attendance Addresses makeup policies for time missed and ensures compliance with the minimum 120 hours or equivalent to include at least 40 hours direct supervised clinical of which at least 20 hours was in long-term care.</p>		
	<p>Grading Identifies attainment of at least 75% on each theoretical exam or on comprehensive exam, test retakes.</p>		
	<p>Test Retake Addresses competencies in original, contains different items</p>		
	<p>Dismissal</p>		
	<p>Advance Placement</p>		
	<p>Withdrawal</p>		
	<p>Student Record Maintenance R4-19-801D(5)(6) Identifies which program and student records will be maintained; length of time these files/records will be maintained; and where they are maintained.</p>		

POLICIES – R4-19-801B(3) Cont.		
Reviewed	Policies Provided to Students	Comments
	Instructor Supervision of Students Providing for method to contact instructor, instructor rounds, direct observation/documentation of student performance, only may do clinical supervision	
	Fees and Financial Aid	
	Student Rights and Responsibilities	
	Student Grievance Identifies chain of command for grade disputes	
	Admission Requirements Criminal background, drug testing	
	Program Completion Requirements	
	Notification of Board Requirements Evidence that student notified prior to starting training of AZBN Fingerprints, Felony Bar, Citizenship/Nationality/Alien Status documentation	
EVALUATION - R4-19-801B(6)		
	Evaluation of Course to be Completed by Student Provides opportunity to evaluate quality of classroom instruction, teaching methods, textbook, learning experiences, and clinical experiences.	
	Course Evaluation Results Summaries maintained for each cohort of students in previous approval period.	
RECORD MAINTENANCE CHECKLIST R4-19-801(B6)(D5-6)		
Reviewed	Document	Comments
	Student Records Maintenance of student records kept on file a minimum of 3 years. Includes name, SSN, date of birth.	
	Skill List	
	Certificate of Completion	
	Attendance Record Indicates makeup sessions	
	Examination Scores Identifies makeup tests	
	Traineeship Verification	
	Student Course Evaluations Includes summary of evaluation for each cohort; measures taken	

RECORD MAINTENANCE CHECKLIST R4-19-801(B6)(D5-6) Cont.			
Reviewed	Document		Comments
	Curriculum with Hours of Class/Clinical Includes course schedule for each cohort.		
	Results of State Testing		
	Copy of Board Report		
FACILITIES & RESOURCES CHECKLIST R4-19-804D(4)			
Reviewed	Area/Item		Comments
	Classroom Space Adequate Well lighted; ventilated, distraction free, clean. Comparable to other approved programs.		
	Clinical Lab Resources Adequate and in Working Condition Patient care unit: bed, stand, overbed table; handwashing, clean gloves; call bell, privacy curtains; thermometers, stethoscopes, BP cuffs, balance type scale; hygiene supplies, elimination equipment, drainage devices, linens, wheelchair, gait belt, walker, AE hose.		
	AV Equipment and Media		
CURRICULUM CHECKLIST			
HOURS - R4-19-802A(1)(2)			
Minimum 120-Hour Program Divided Between Theory & Clinical (Minimum 40)		Total Hours:	
Didactic Skill Lab (Minimum 60)	Clinical Direct Supervised (Minimum 40)	Traineeship	LTC Facility (Minimum 20)
Rule Citation	Textbook Reference Materials		
R4-19-802(E)	Textbook Current Edition Published within the past 5 years.		
R4-19-801D(4)	Current Reference Materials Materials are relevant, appropriate for level of instruction.		

CLINICAL			
Reviewed	Rule Citation	Requirement	Comments
	R4-19-802(A)(D)	Minimum 40 hours Supervised Patient/resident care setting under the direct supervision of RN, 1:10 instructor to student ratio, 20 hours in LTC facility.	
	R4-19-802D(3)	Students Identified in Clinical Setting: In clinical setting students are identified as students and not utilized as staff. Have name badge signifying “student”.	
STANDARDIZED CURRICULUM – R4-19-802(C)(D)			
Reviewed	Minimum 16 Hours Class Prior to Patient Contact		Comments
	Communication, Interpersonal Skills, Documentation		
	Infection Control		
	Safety/Emergency Procedures; CPR – Heimlich		
	Resident’s Independence		
	Resident’s Rights Confidentiality, privacy, free from neglect/abuse, personal choices, grievances, personal property, restraint free		
	Need to Report Abuse, Mistreatment and Neglect		
	Bed Bath, Shampoo, Hair, Skin, Fingernail, and Oral/Denture Care		
	Dressing, Toileting, Perineal, Ostomy Care		
	Vital Signs: TPR, BP Measuring and Recording		
	Height and Weight		
	Maintaining Resident’s Environment		
	Observing and Reporting pain		
	Reporting Abnormal Changes to Supervisor		
	Assisting with Diagnostic Tests		
	Nutrition: I&O Measuring and Recording I&O, Feeding and Hydration, Assistive Devices		
	Restorative Care transfer, use of gait belts, walker, ambulation, prosthetic and orthotic devices, ROM, positioning and turning		
	Care of Residents with Drains and Tubes		
	Applying Cream/Bandages		
	Bowel and Bladder Care		

STANDARDIZED CURRICULUM - R4-19-802(C)(D)Cont.		
Reviewed	Minimum 16 Hours Class Prior to Patient Contact	Comments
	Admitting, transferring and Discharging Residents	
	Peri-Operative Care	
	Age Specific, Mental Health, and Social Service Needs Including Family Activities modifying behavior in response to resident behavior, developmental tasks associated with the aging process, responding to patient or resident behavior, resident dignity, culturally sensitive care, dying patient	
	Care of the Cognitively Impaired Patient or Resident Including Unique needs and behaviors, communicating with residents, reducing the effects of cognitive impairment	
	Health Care Team Member Skills Including Time Management and Prioritizing Work	
	Legal Aspects of Nursing Assistant Practice Including Board-prescribed requirements for certification and re-certification, delegation, ethics, advance directives and do-not-resuscitate orders	
	Body Structure and Function/Common diseases of the Elderly	
SITE VISIT REPORT SUMMARY		
Topics Discussed with Instructor/Coordinator:		
Program Strengths:		
Program Weaknesses:		
Recommendations:		
Signature of Program Reviewer		Date of Visit