

## 10. NURSE AIDE TRAINING

### 10.1 Nurse Aide Registration

General Rule. A facility must not use an individual working in the facility as a nurse aide for more than 4 months, on a full time basis, unless that individual:

- (a) is included on the Vermont State Nurse Assistants Registry; and
- (b) is competent to provide nursing and nursing related services.

### 10.2 Non-Permanent Employees

A facility must not use on a temporary, per diem, leased or any basis other than a permanent employee any individual who does not meet the requirements in subsection 10.1.

### 10.3 Competency

A facility must not use any individual who has worked less than 4 months as a nurse aide in that facility unless the individual:

- (a) is a full-time employee enrolled in a state approved training and competency evaluation program;
- (b) has demonstrated competence through satisfactory participation in a state-approved nurse aide training and competency evaluation program; or
- (c) is included on the Vermont State Nurse Assistants Registry.

### 10.4 Registry Verification

(a) Before allowing an individual to serve as a nurse aide, a facility must receive verification from the Vermont State Nurse Assistants Registry that the individual has met competency evaluation requirement unless:

- (1) the individual is a full time employee in a training and competency evaluation program approved by the state; or
- (2) the individual can prove that he or she has recently successfully completed a training and competency evaluation program or competency evaluation program approved by the state and has not yet been included in the registry. Facilities must follow up to ensure that such an individual actually becomes registered.

(b) Multi-State Registry Verification. Before allowing an individual to serve as a nurse aide, a facility must seek information from every State registry, established under 42

U.S.C. §§1395i-3(e)(2)(A) or 1396r(e)(2)(A), which the facility believes will include information on the individual.

### 10.5 Required Retraining

If, since an individual's most recent completion of a training and competency evaluation program, there has been a continuous period of 24 consecutive months during none of which the individual provided nursing or nursing-related services for monetary compensation, the individual must complete a new training and competency evaluation program or a new competency evaluation program.

### 10.6 Regular In-Service Education

(a) Performance reviews. The facility must complete a performance review of every nurse aide at least once every 12 months, and must provide regular in-service education based on the outcome of these reviews.

(b) In-service training. The in-service training must:

(1) be sufficient to ensure the continuing competence of nurse aides, but must be no less than 12 hours per year.

(2) address areas of weakness as determined in nurse aide's performance reviews and may address special needs of residents as determined by the facility staff; and

(3) for nurse aides providing services to individuals with cognitive impairments, also address the care of the cognitively impaired.

### 10.7 Proficiency of Nurse Aides

The facility must ensure that nurse aides are able to demonstrate competency in skills and techniques necessary to care for residents' needs, as identified through resident assessments and described in the plan of care.

### 10.8 Developmental Services

Individuals providing specialized services to residents with development disabilities do not meet the definition of a nurse aide.