

MEMORANDUM

FROM: Richie Farran, V.P. of Government Services, Health Care Association of Michigan
DATE: March 22, 2021
SUBJECT: TNA to CNA Transition

Background

In response to the challenges presented by the COVID-19 pandemic, the Centers for Medicare and Medicaid Services (CMS) used its emergency authority under Section 1135 of the Social Security Act to waive requirements that nurse aides must receive training and certification before working in a nursing facility for longer than four months. This flexibility was granted on March 1, 2020 to help address workforce challenges exacerbated by the pandemic, and has remained in effect through the duration of the Public Health Emergency (PHE).

Michigan has utilized these CMS 1135 Waivers to bring more than 1,400 workers into the long-term care setting to address critical workforce shortages. These aides are working primarily as caregivers providing necessary care & services typically provided by certified nurse aides (CNAs). Retaining these caregivers once the pandemic concludes and the temporary waivers expire allows this staff to continue to provide care as they have done for much of the past year. This will benefit both staff and residents in Michigan's nursing facilities.

TNA to CNA Transition

In an effort to retain temporary aides, it is critical that policy is implemented to ensure a fair and efficient transition to Michigan's CNA registry. These caregivers have worked through some of the most challenging times the profession has ever experienced. They have been on the frontlines of the most severe public health crisis of our lifetimes. It is only fair to recognize the on the job training received as a temporary aide, and assist these direct care workers in obtaining their registry as Certified Nurse Aides (CNA).

The recognition of on the job training is especially critical in light of the lack of access to the normal training and testing requirements for CNA registry in Michigan. Half of the commercial training programs have not reopened, and it has proven difficult to complete testing through the state-contracted test provider due to lack of staff during the pandemic.

Several states, including Indiana, Pennsylvania, and Wisconsin, have established pathways in rules or statute to recognize the work and on the job training these staff have obtained while working as temporary staff. These pathways offer flexibilities in the training and testing requirements while also ensuring adherence to the federal requirements.

Proposed Legislation

Michigan requires 75 hours of training and successful passage of a competency exam in order to be registered as a CNA. HCAM is requesting a statutory change that includes an option for online training, an online competency evaluation beyond the test offered by the state contractor, and recognition of hours worked as a temporary aide toward the 75-hour training requirement. A temporary aide who achieves these requirements should be registered as a CNA. Draft language has been provided with this memorandum.

If you have any questions or concerns regarding this proposed legislation, please do not hesitate to contact me at 517-627-1561 or via email at RichFarran@hcam.org. Your time and consideration are much appreciated.

HCAM is a statewide trade association representing proprietary, not for profit, county medical and hospital-based long-term skilled nursing and rehabilitation facilities.