

May 18, 2022  
MB# 22-006

## MEDICAID BULLETIN

**TO: Nursing Facilities**

**SUBJECT: COVID-19 Temporary Policy Updates: Nurse Aide Training and Competency Evaluation and Paid Feeding Assistant Programs**

During the initial response to the coronavirus disease 2019 (COVID-19) pandemic, the South Carolina Department of Health and Human Services (SCDHHS) announced dozens of temporary policy changes designed to ensure ongoing access to care for Healthy Connections Medicaid members. The majority of these policy changes were issued using emergency authorities derived from the federal public health emergency (PHE) and were issued for the duration of the PHE.

To comply with guidance issued by the Centers for Medicare and Medicaid Services (CMS) ([CMS QSO-22-15-NH & NLTC & LSC](#)), SCDHHS is announcing updates to the temporary flexibilities issued in Medicaid bulletin [20-012](#) for temporary nurse aides (TNAs), certified nurse aide (CNA) training and certification and paid feeding assistants (PFAs).

### **TNAs**

During the COVID-19 federal PHE, CMS previously waived the requirements that a skilled nursing facility (SNF) and nursing facility (NF) may not employ anyone for longer than four months unless they met the training and certification requirements under federal law (42 CFR §483.35[d]). CMS provided information related to nurse aides working under this blanket waiver ([CMS QSO-21-17-NH](#)) advising stakeholders that nurse aides would have a four-month period starting from the end of the blanket waiver to successfully complete training and certification. At that time, CMS strongly encouraged states and nurse aides to explore ways to complete all the training and certification requirements as soon as possible.

On April 7, 2022, CMS issued guidance ([CMS QSO-22-15-NH & NLTC & LSC](#)) announcing it was ending specific emergency declaration blanket waivers for SNFs and NFs that allowed them to employ nurse aides for longer than four months without completion of training and certification requirements. Based on this CMS guidance, TNAs will have to become fully certified by **Oct. 6, 2022. Effective June 6, 2022, no additional TNAs should enter employment under the blanket waiver exceptions.**

To assist with the transition for TNAs to become CNAs, SCDHHS will recognize documented time spent working in a temporary capacity in a health care facility under the direction of a registered nurse (RN) toward the required 40 hours of clinical skills training. In addition, for required classroom hours SCDHHS will recognize TNAs that have been working in a temporary capacity for a minimum of six months and have documentation of completion of the eight-hour TNA online course to satisfy the classroom hours required. Please note that to meet the six-month experience requirement to satisfy the classroom

training hours, April 6, 2022, is the last date a TNA could have been hired and still meet the experience requirement by Oct. 6, 2022. Documentation of TNA online training and in-service training must include training in the areas defined by federal requirements (42 CFR §483.152[b]), such as respecting residents' rights, basic nursing skills, personal care skills and caring of cognitively impaired residents. Federal regulations (42 CFR §483.154[b][1][i] and [ii]) also require these TNAs pass a written or oral exam, and demonstrate skills learned.

Documentation of work experience as a TNA in South Carolina should be submitted by the individual NF or SNF via attestation with staffing roster to SCDHHS that includes the following information: facility name, provider number, staffing roster and signature on attestation. Documentation can be submitted to [SCNAR@scdhhs.gov](mailto:SCNAR@scdhhs.gov).

TNAs are encouraged to consider enrollment and completion of the full state-approved training curriculum. For TNAs that intend to submit documentation of time worked and completion of the eight-hour TNA online course, SCDHHS strongly recommends accessing and reviewing the Candidate Handbook and example certification test ([Credentia.com/test-takers/sc](https://credentia.com/test-takers/sc)).

SCDHHS is aware that instances may occur where the volume of TNAs that must complete a state-approved Nurse Aide Competency Evaluation Program exceeds the available capacity for enrollees in a training program or taking the exam. This may cause delays in TNAs becoming certified. If a facility or TNA has documentation that demonstrates their attempts to complete their training and testing were unsuccessful due to capacity issues (e.g. timely contacts to state officials, multiple attempts to enroll in a program or test), a waiver of these requirements is still available and the TNA may continue to work in the facility while continuing to attempt to become certified as soon as possible.

If training or exam capacity issues exist and a waiver is being requested, the training program, facility or nurse aide must notify SCDHHS of the issue via email to [SCNAR@scdhhs.gov](mailto:SCNAR@scdhhs.gov). SCDHHS will verify the capacity issues prior to waiving certification requirements under 42 CFR § 483.35(d). SCDHHS is aware of current capacity issues with testing through the month of May 2022 and intends to utilize this flexibility in response to these known capacity issues.

### **CNA Training and Certification**

#### *Distance Education Learning*

SCDHHS will continue to allow CNA training programs to offer distance education learning once the federal PHE has expired. Classroom instruction, whether face-to-face or through distance education learning, still must equal the required 60 hours unless requirements for TNAs are met as noted above.

#### *Clinical Instruction*

SCDHHS will continue to allow CNA candidates to receive clinical skills training in a health care facility under the direction of an RN after the federal PHE has expired. However, SCDHHS will discontinue the option for clinical skills training to be provided in a simulation environment effective as of the end of the federal PHE. Skills training must equal the required 40 hours. Hours worked as a TNA in a health care facility under the direction of an RN can count toward the 40 hours of clinical skills training.

#### *CNA Recertifications*

SCDHHS will reinstate requirements to provide proof of the eight-hour paid work requirement effective as of the end of the federal PHE.

*Reciprocity*

SCDHHS will continue to honor reciprocity for CNAs.

**PFA Programs**

SCDHHS will resume all customary requirements for PFA programs, including recertification activities and site visits for initial certification, effective as of the end of the federal PHE.

Providers should direct any questions related to this bulletin to SCDHHS program staff at [SCNAR@scdhhs.gov](mailto:SCNAR@scdhhs.gov).

Thank you for your continued support of the South Carolina Healthy Connections Medicaid program.

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Robert Kerr