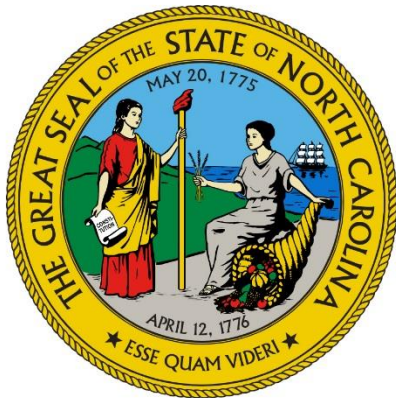


# Department of Health and Human Services (DHHS)



## Division of Health Service Regulation (DHSR)

### Nurse Aide I

Last Updated  
September 8, 2022

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# State and Federal Regulations

DHSR is responsible for the review and determination of federal and state compliance of all Nurse Aide I training and competency evaluation programs.

State and federal regulatory information for the Nurse Aide I, including registry, training and competency requirements are:

- Omnibus Budget Reconciliation Act (OBRA) of 1987
- Omnibus Budget Reconciliation Act (OBRA) of 1989
- Omnibus Budget Reconciliation Act (OBRA) of 1990
- [42 U.S.C. § 1395i-3\(e\)](#)
- [42 U.S.C. 1395i-3\(g\)\(1\)\(C\)](#)
- [42 U.S.C. § 1396\(r\)\(e\)](#)
- [42 U.S.C. 1396\(r\)\(g\)\(1\)\(C\)](#)
- [42 CFR 483, Subpart B 483.13\(c\)\(1\)\(ii\)\(B\)](#)

# State and Federal Regulations

- [42 CFR 483, Subpart B 483.35](#)
- [42 CFR 483, Subpart D 483.150-158](#)
- [N.C. General Statute § 131E Article 15](#)
- [10A NCAC Chapter 13 Subchapter D](#)
- [10A NCAC Chapter 13 Subchapter O](#)
- [21 NCAC 36 .0401](#)
- [21 NCAC 36 .0402](#)
- [21 NCAC 36 .0403](#)
- [21 NCAC 36 .0405](#)

# Unlicensed Assistive Personnel (UAP)

## Per the North Carolina Board of Nursing:

"Unlicensed assistive personnel" is an umbrella term used to describe unlicensed health care assistants that have been trained to provide certain tasks of client care as directed by a licensed health care provider.

Unlicensed Assistive Personnel include but are not limited to the following specific job titles:

- Nurses Aides (NA)
- Certified Nursing Assistants (CNA)
- Patient Care Aides (PCA)
- Home Health Aides (HHA)
- Patient Care Technicians (PCT)
- Medical Office Assistants (MOA)
- Medical Assistants (MA)
- Medication Aides (Med Aide)
- Medication Technicians (Med Tech)

# Unlicensed Assistive Personnel (UAP)

Unlicensed Assistive Personnel may work in a variety of healthcare settings including, but not limited to:

- Hospitals
- Skill nursing facilities
- Home care
- MD practices
- Various community health environments (i.e., schools, correctional facilities, clinics).

Refer to the [Decision Tree for Delegation to UAP](#) for more information on appropriate delegation to Unlicensed Assistive Personnel.

# Education Requirements

Individuals must successfully complete a state-approved Nurse Aide I Training and Competency Evaluation Program (NAT/CEP) or a state-approved Competency Evaluation Program (CEP).

Training programs are available at various high schools, community colleges, healthcare facilities, and private businesses in North Carolina.

Training programs are available for Emergency Medical Technicians, Paramedics, and Medical Office Assistants who need to learn additional skills to successfully complete the North Carolina state-approved Nurse Aide I competency exam but do not need to repeat skills training in some areas of the North Carolina Nurse Aide I curriculum.

# Education Requirements

North Carolina state-approved Nurse Aide I training programs will partner with DHSR to determine program hours.

DHSR does not approve North Carolina state-approved Nurse Aide I training programs to have at minimum 75 clock hours.

DHSR partners with training programs to determine the number of clock hours needed to have an educationally sound program that meets the demands of Nurse Aides in the workforce today.

Per the Medicare State Operations Manual, a nurse aide training and competency evaluation program must consist of a minimum of 75 clock hours of training in order to be approved by the State.

The State has the discretion to require additional hours of training.



# Education Requirements

An individual must retrain and retest if they do not meet the eligibility requirements for renewal.

Click [here](#) for a list of the North Carolina state-approved Nurse Aide I training programs.

Contact the training program regarding admission requirements and program availability.

# Education Requirements

## State-Approved Training Programs Only:

Per [Federal Register Vol. 56, No. 187, September 26, 1991, pages 48896 - 48897](#), because a NATCEP is not completed until the competency evaluation program is completed, it is reasonable to state that the NATCEP has a responsibility to be available to answer questions from its students until the competency evaluation has been completed.

# High Schools

North Carolina high schools, through Health Occupations Education Programs, can offer state-approved Nurse Aide I training.

A memorandum of understanding (MOU) exists between the North Carolina Division of Health Service Regulation (DHSR) and the North Carolina Department of Public Instruction (DPI). The MOU gives DPI management responsibility for high schools that meet the requirements for North Carolina state-approved Nurse Aide I training.

State-approved Nurse Aide I training programs in high schools must meet the same requirements as other state-approved Nurse Aide I training programs in North Carolina.

# Nursing Schools

A memorandum of understanding (MOU) exists between the North Carolina Division of Health Service Regulation (DHSR) and the North Carolina Board of Nursing (NCBON). The MOU gives the NCBON management responsibility for nursing programs that meet the requirements for North Carolina state-approved Nurse Aide I training.

Nursing programs must meet the same requirements as other state-approved Nurse Aide I training programs in North Carolina.

# Nursing Homes

## Temporary Nurse Aides:

- The Centers for Medicare & Medicaid Services (CMS) has terminated their COVID-19 blanket waivers regarding nurse aides (42 CFR §483.35). To align with CMS, North Carolina has terminated associated waivers (10A NCAC 13D .2001(23) & 10A NCAC 13D .2304(a)).

Click [here](#) to learn more from CMS.

Click [here](#) to review memorandums from DHSR.

- Nursing home facilities should no longer hire temporary nurse aides effective June 6, 2022.
- A temporary nurse aide hired on or before June 6, 2022, must be listed on the Nurse Aide I Registry by October 7, 2022, in order to continue providing nursing or nursing related services to residents in the nursing home facility.

# Nursing Homes

## Temporary Nurse Aides:

- If a temporary nurse aide is not listed on the Nurse Aide I Registry by October 7, 2022, then the nursing home facility must immediately cease using the individual in the capacity of a nurse aide, regardless if the individual is scheduled to take the North Carolina state-approved competency evaluation.
- DHSR will no longer accept the [Temporary Nurse Aide Training Equivalency Application Due to COVID-19](#) after October 7, 2022. The application only applies to individuals who worked in the capacity of a temporary nurse aide, under CMS/DHSR COVID-19 waivers, from April 2, 2020, to June 6, 2022.
- A temporary nurse aide has two (2) years, or three (3) attempts, whichever comes first, from the date when their [Temporary Nurse Aide Training Equivalency Application Due to COVID-19](#) was approved by DHSR, to pass the North Carolina state-approved competency evaluation.

# Nursing Homes

## **Federal Law 42 CFR § 483.35, General Statute § 131E-255, and North Carolina Session Law 2022-74 (2022 Appropriations Act):**

- North Carolina Session Law 2022-74 (2022 Appropriations Act) became effective July 11, 2022.
- Nursing home facilities may employ an individual, not to exceed 4 months from date of hire, to perform resident care.
- The nursing home facility is required to meet all rules and regulations regarding background checks and to ensure that the individual has no substantiated findings on the North Carolina Health Care Personnel Registry.

# Nursing Homes

## **Federal Law 42 CFR § 483.35, General Statute § 131E-255, and North Carolina Session Law 2022-74 (2022 Appropriations Act):**

- During the 4 months, individuals performing nurse aide duties must be working toward meeting the training and testing requirements by participating in a North Carolina state-approved Nurse Aide I training and competency evaluation program or a North Carolina state-approved competency evaluation program.

Not all nursing homes are approved by the State to offer nurse aide training.

Click [here](#) to view a list of the North Carolina state-approved Nurse Aide I training programs. The list gets updated monthly.

Credentia is the North Carolina state-approved vendor to provide the Nurse Aide I competency exam.



# Nursing Homes

## **Federal Law 42 CFR § 483.35, General Statute § 131E-255, and North Carolina Session Law 2022-74 (2022 Appropriations Act):**

- The individual must be listed on the Nurse Aide I Registry within 4 months, from date of hire, to continue providing nursing or nursing-related services in the nursing home facility.
- Individuals who are not listed on the Nurse Aide I Registry within 4 months, can only complete job duties that do not involve direct resident care or nursing-related services.
- The nursing home facility is required to deem the individual competent, by a Registered Nurse employed by the facility, prior to the individual providing nursing or nursing-related services to residents.
- A nursing home cannot fire and rehire an individual to restart the duration of the 4 months.

# Nursing Homes

## **Federal Law 42 CFR § 483.35, General Statute § 131E-255, and North Carolina Session Law 2022-74 (2022 Appropriations Act):**

- The duration of the 4 months does not start over if an individual completes additional training and testing sequences.
- Each nursing home facility is responsible for checking the prior work history of individuals that perform nurse aide duties. A facility must count any previous employment as nurse aide, in a nursing home facility, toward the 4-month total. An individual cannot move from facility-to-facility and receive a full 4-month grace period each time he or she changes employers and/or facilities.
- All federal and state rules and regulations for nursing home facilities remain in effect, including additional requirements that are outlined in 42 CFR § 483.35.

# Comparison: CMS COVID-19 Waivers & North Carolina Session Law 2022-74 (2022 Appropriations Act)

Time Period	Must Complete Training at a North Carolina State-Approved Nurse Aide I Training Program	Must Be Listed on the North Carolina Nurse Aide I Registry Prior to Providing Nursing or Nursing Related Services to Residents in SNFs/NFs	Does DHSR Accept the Temporary Nurse Aide Training Equivalency Application Due to COVID-19?
Individuals hired as Nurse Aides by SNFs/NFs <b>before April 2, 2020.</b>	Yes	Yes	No
Individuals hired as Nurse Aides by SNFs/NFs between <b>April 2, 2020 – June 6, 2022.</b>	No	No <sup>1,2</sup>	Yes <sup>4</sup>
Individuals hired as Nurse Aides by SNFs/NFs between <b>June 7, 2022 – July 10, 2022.</b>	Yes	Yes <sup>3</sup>	No
Individuals hired as Nurse Aides by SNFs/NFs <b>on or after July 11, 2022.</b>	Yes	Individuals have 4 months from date of hire to be listed on the North Carolina Nurse Aide I Registry <sup>1,3</sup>	No

<sup>1</sup>Individuals must be deemed competent by a Registered Nurse prior to providing nursing or nursing-related services to residents.

<sup>2</sup>Individuals must be listed on the North Carolina Nurse Aide I Registry by October 7, 2022, or they can no longer serve in the capacity of a nurse aide providing nursing or nursing-related services.

<sup>3</sup>The change to North Carolina General Statute §131E-255 did not go into effect until July 11, 2022.

<sup>4</sup>DHSR will no longer accept the application after October 7, 2022.

# Employer Responsibilities

**Before allowing an individual to work as a Nurse Aide I, the following activities must be completed:**

- Ensure that the individual is listed in active status on the North Carolina Nurse Aide I Registry.
  - Nursing homes only, please refer to federal law 42 CFR § 483.35, general statute § 131E-255, and North Carolina session law 2022-74 (2022 appropriations act).
- Ensure that the individual has no substantiated findings on the North Carolina Nurse Aide I Registry and the North Carolina Health Care Personnel Registry.
- Keep a record of accessing the above registries in your business files (e.g., the date and confirmation number).
- A clinical skills validation, conducted by a Registered Nurse, is required before the Nurse Aide I performs nursing tasks in a facility.

# State-Approved Competency Exam

## National Council of State Boards of Nursing (NCSBN):

- Developed the Nurse Aide I exam known as the National Nurse Aide Assessment Program (NNAAP).
- The NNAAP is the largest Nurse Aide certification exam program in the U.S.
- On behalf of the NCSBN, Credentia administers the NNAAP.
- Click [here](#) to learn more about the NCSBN and the NNAAP.

## Credentia:

- State-approved competency examination vendor for North Carolina.
- The minimum threshold regarding the number of students needed to complete the skills exam, at any given time, is five students.
- Click [here](#) to go to Credentia's website.
- Utilize the [candidate handbook](#) to prepare for an exam.

# State-Approved Competency Exam

## Fees for the NNAAP:

Exam Type	Fee
Written Examination & Skills Evaluation (initial)	\$140
Oral (English or Spanish) Written Examination & Skills Evaluation	\$140
Written Examination Only (re-test)	\$40
Oral (English or Spanish) Written Examination Only (re-test)	\$40
Skills Evaluation Only (re-test)	\$100

- Candidates who fail to show up for a scheduled exam and fail to notify Credentia will be charged \$140.
- Candidates who give Credentia less than a 24-hour notice of the need to reschedule an examination will be charged \$140.

# State-Approved Competency Exam

## Nursing School Candidates:

- Individuals planning to take the North Carolina state-approved Nurse Aide I competency exam to meet the requirements for a nursing school program must follow the same process as all Nurse Aide I candidates. No exceptions will be granted.
- Individuals who received a certificate of completion for Nurse Aide I training from a nursing school program are eligible to take the North Carolina state-approved Nurse Aide I competency exam.
- Individuals currently in a nursing school program in North Carolina can register to take the North Carolina state-approved Nurse Aide I competency exam through their nursing school's administration.
- Individuals who are no longer in a nursing school program but completed the training requirements to be a Nurse Aide I, should submit the [Training Waiver Application](#) to DHSR for approval in order to register to take the North Carolina state-approved Nurse Aide I competency exam.

# State-Approved Competency Exam

## For Test Sites Only:

If there is a chance you will be experiencing inclement weather that may affect testing, please follow the steps below.

- If you decide to cancel a test due to inclement weather during Credentia's business hours (8:30am to 5:00pm), please email [@facilitysupport](mailto:@facilitysupport) and copy [@Program Coordinator Team](mailto:@ProgramCoordinatorTeam). The coordinator team will work with you to reschedule testing.
- If you decide to cancel a test due to inclement weather after Credentia's business hours, please call 1-800-563-4013.
- The coordinator team will reach out to you during business hours to reschedule testing.



# Registry

## **Renewal is the Nurse Aide's Responsibility.**

Click [here](#) to verify a listing on the North Carolina Nurse Aide I Registry.

North Carolina is a Nurse Aide I [reciprocity](#) state.

Click [here](#) to obtain the following forms for the North Carolina Nurse Aide I Registry. It is the responsibility of the Nurse Aide to update their name and address in the registry.

- Name and Address Change Form
- Reciprocity Application
- RN/LPN Application
- Training Waiver Application

# Registry

## Renewal Requirements:

- A listing on the North Carolina Nurse Aide I Registry must be renewed every 24 consecutive months.
- Nurse Aides working in a non-nursing home setting are responsible for making sure their job duties qualify for renewal.
- If a Nurse Aide does not perform at least eight (8) hours of qualified work during any 24-consecutive month period, then they must retrain and retest.
- Qualified work can occur in a nursing home or other health care setting and must meet all the following criteria:
  - The work is for pay (monetary compensation).
  - The duties are those of a Nurse Aide. Click [here](#) to refer to the North Carolina Board of Nursing Nurse Aide I task list.
  - The duties are supervised by a Registered Nurse.
  - The number of hours worked is at least eight (8) during the Nurse Aide's 24-consecutive month registry listing period.

# Registry

## Online Renewal Forms:

- DHSR is no longer accepting the paper renewal form effective August 2021.
- Nurse Aides should renew their listing using the [Online Renewal Form](#).
- The Registered Nurse should verify the Nurse Aide's employment using the [Online Employment Verification Form](#).
- The Nurse Aide must submit the [Online Renewal Form](#) to DHSR before the Registered Nurse can complete the [Online Employment Verification Form](#).
- The Nurse Aide's [Online Renewal Form](#) will be held for 7 calendar days while waiting for the Registered Nurse to submit the [Online Employment Verification Form](#). After 7 calendar days, both forms must be resubmitted.
- Both forms must be submitted before the Nurse Aide's listing expires in the North Carolina Nurse Aide I Registry.

Click [here](#) to learn more about renewing a listing on the North Carolina Nurse Aide I Registry.

# Registry

## Renewal Listing Period Calculation:

The renewal listing period is calculated from the last date of qualified work that was reported on the [Online Employment Verification Form](#) by the Registered Nurse. Expiration dates are extended to the last day of the month.

# Registry

## Current Nurse Aides:

- With an unexpired listing on the North Carolina Nurse Aide I Registry and do not meet the requirements for renewal may apply to take the North Carolina state-approved Nurse Aide I competency exam prior to their listing expiration date without additional training.
- Must submit the [Training Waiver Application](#) to DHSR for approval within 90 days prior to the listing expiration date.
- Must pass the North Carolina state-approved Nurse Aide I competency exam prior to the listing expiration date.
- No extension of the 90 days will be granted.

# Registry

## Licensed Nurses:

- With a current, unrestricted license to practice in North Carolina should submit the [RN and LPN application](#) to DHSR for approval to be added to the North Carolina Nurse Aide I Registry.
- With an unrestricted license but are not registered to practice in North Carolina should submit the [Training Waiver Application](#) to DHSR for approval.
- With a restricted license should contact the Registry Office for more information.

# Registry

## Nursing Homes:

- An individual that works as a Nurse Aide I must be listed on the North Carolina Nurse Aide I Registry. This includes a Registered Nurse, a Licensed Practical Nurse and a Nurse Aide II.
  - Nursing homes only, please refer to federal law 42 CFR § 483.35, general statute § 131E-255, and North Carolina session law 2022-74 (2022 appropriations act).
- May not employ a Nurse Aide I who has a substantiated finding of resident abuse, neglect, exploitation, or misappropriation of resident property on the North Carolina Nurse Aide I Registry or the North Carolina Health Care Personnel Registry for unlicensed healthcare personnel.

# Scope of Practice

Click [here](#) to review the Nurse Aide I scope of practice information from the N.C. Board of Nursing.



# Who to Contact for Assistance

## DHSR Education Office:

- Hours: 8am-5pm, Monday-Friday
- Fax: 919-733-9764
- Email: [dhsr.educationconsultant@dhhs.nc.gov](mailto:dhsr.educationconsultant@dhhs.nc.gov)
- Click [here](#) to obtain the contact information for your Regional Education Consultant.
- Address: 801 Biggs Drive, Raleigh, NC 27603

## DHSR Registry Office:

- Hours: 8am-5pm, Monday-Friday
- Telephone: 919-855-3969 (Monday-Friday; 8am-12pm; 1pm-3pm)
- Fax: 919-733-9764
- Email: [dhsr.registry@dhhs.nc.gov](mailto:dhsr.registry@dhhs.nc.gov)
- Address: 801 Biggs Drive, Raleigh, NC 27603

# Who to Contact for Assistance

## **N.C. High School Students:**

- Click [here](#) to go to the North Carolina Department of Public Instruction website.
- Phone: 919-807-3907

## **N.C. Nursing School Students:**

- Contact your School of Nursing for more information.

## **N.C. Board of Nursing:**

- Click [here](#) to obtain contact information.
- Click [here](#) to learn more about Nurse Aide II.

# Who to Contact for Assistance

## N.C. Community College System

- Click [here](#) to learn more about main campuses and remote locations.
- Click [here](#) to learn more about proprietary schools.