

1 10A NCAC 130 .0301 is proposed for amendment as follows:

2
3 **SECTION .0300 - NURSE AIDE I REGISTRY**

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5 **10A NCAC 130 .0301 NURSE AIDE I TRAINING AND COMPETENCY EVALUATION**

6 (a) To be eligible to be listed on the NC Nurse Aide I Registry by the Health Care Personnel Education and
7 Credentialing Section, a person ~~shall~~ shall:

8 (1) pass a Nurse Aide I training program approved by the Department in accordance with 42 CFR ~~Part~~
9 483.151 through ~~Part~~ 42 CFR 483.152 and the State of North Carolina's Nurse Aide I competency
10 ~~exam.~~ exam; or

11 (2) apply to the Department for approval to be listed on the NC Nurse Aide I Registry by reciprocity of
12 a nurse aide certification or registration from another State to North Carolina.

13 (b) In applying for reciprocity of a nurse aide certification or registration to be listed on the NC Nurse Aide I Registry
14 pursuant to Subparagraph (a)(2) of this Rule, the applicant shall:

15 (1) submit a completed application to the Department that includes the following:

16 (A) first, middle, and last name;

17 (B) the applicant's prior name(s), if any;

18 (C) mother's maiden name;

19 (D) gender;

20 (E) social security number;

21 (F) date of birth;

22 (G) mailing address;

23 (H) email address;

24 (I) home telephone number;

25 (J) any other State registries of nurse aides upon which the applicant is listed;

26 (K) certification or registration numbers for any State nurse aide registries identified in Part
27 (b)(1)(J) of this Rule;

28 (L) original issue dates for any certifications or registrations identified in Part (b)(1)(K) of this
29 Rule;

30 (M) expiration dates for any certifications or registrations identified in Part (b)(1)(K) of this
31 Rule; and

32 (N) employment history;

33 (2) provide documentation verifying that his or her registry listing is active and in good standing in the
34 State(s) of reciprocity, dated no older than 30 calendar days prior to the date the application is
35 received by the Department; and

36 (3) provide a copy of his or her Social Security card and an unexpired government-issued identification
37 containing a photograph and signature.

1 (c) For the applicant to be approved for reciprocity of a nurse aide certification or registration and be listed on the NC
 2 Nurse Aide I Registry, the Department shall verify the following:

- 3 (1) the applicant has completed an application in accordance with Subparagraph (b)(1) of this Rule;
 4 (2) the applicant is listed on another State's registry of nurse aides as active and in good standing;
 5 (3) the applicant has no pending or substantiated findings of abuse, neglect, exploitation, or
 6 misappropriation of resident or patient property recorded on other State registries of nurse aides;
 7 (4) if the applicant has been employed as a nurse aide for monetary compensation consisting of at least
 8 a total of eight hours of time worked performing nursing or nursing-related tasks delegated and
 9 supervised by a Registered Nurse, then the applicant shall provide the employer name, employer
 10 address, and dates of employment for the previous 24 consecutive months;
 11 (5) the name listed on the Social Security card and government-issued identification containing a
 12 photograph and signature submitted with the application matches the name listed on another State's
 13 registry of nurse aides or that the applicant has submitted additional documentation verifying any
 14 name changes; and
 15 (6) the applicant completed a State-approved nurse aide training and competency evaluation program
 16 that meets the requirements of 42 CFR 483.152 or a State-approved competency evaluation program
 17 that meets the requirements of 42 CFR 483.154.

18 (d) The Department shall within 10 business days of receipt of an application for reciprocity of a nurse aide
 19 certification or registration or receipt of additional information from the applicant:

- 20 (1) inform the applicant by letter whether he or she has been approved; or
 21 (2) request additional information from the applicant.

22 The applicant shall be added to the NC Nurse Aide I Registry within three business days of Department approval.

23 ~~(b)~~ (e) This Rule incorporates 42 CFR Part 483 Subpart D by reference, including all subsequent amendments and
 24 editions. Copies of the Code of Federal Regulations may be accessed electronically free of charge from
 25 www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR.

26 ~~(c)~~ (f) The State of North Carolina's Nurse Aide I competency exam shall include each course requirement specified
 27 in the Department-approved Nurse Aide I training program as provided for in 42 CFR ~~Part~~ 483.152.

28 ~~(d)~~ (g) The State of North Carolina's Nurse Aide I competency exam shall be administered and evaluated only by the
 29 Department or its contracted testing agent as provided for in 42 CFR ~~Part~~ 483.154.

30 ~~(e)~~ (h) The Department shall include a record of completion of the State of North Carolina's Nurse Aide I competency
 31 exam in the NC Nurse Aide I Registry within 30 ~~business~~ days of passing the written or oral exam and the skills
 32 demonstration as provided for in 42 CFR ~~Part~~ 483.154.

33 ~~(f)~~ (i) If the State of North Carolina's Nurse Aide I competency exam candidate does not pass the written or oral exam
 34 and the skills demonstration as provided for in 42 CFR ~~Part~~ 483.154, the candidate shall be advised by the Department
 35 of the areas that the individual did not pass.

1 ~~(g)~~ (j) Every North Carolina's Nurse Aide I competency exam candidate shall ~~have, as provided for in 42 CFR Part~~
2 ~~483.154,~~ have the opportunity to take the exam at maximum three times before being required to retake and pass a
3 Nurse Aide I training program.

4 ~~(h) A person who is currently listed on any state's Nurse Aide I Registry shall not be required to take the Department-~~
5 ~~approved Nurse Aide I training program to be listed or, if his or her 24 month listing period has expired, relisted on~~
6 ~~the NC Nurse Aide I Registry, unless the person fails to pass the State of North Carolina's Nurse Aide I competency~~
7 ~~exam after three attempts.~~

8 ~~(i)~~ (k) U.S. military personnel who have completed medical corpsman training and retired or non-practicing nurses
9 shall not be required to take the Department-approved Nurse Aide I training program to be listed or relisted on the
10 Nurse Aide I Registry, unless the person fails to pass the State of North Carolina's Nurse Aide I competency exam
11 after three attempts.

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13 *History Note:* Authority G.S. 131E-255; 42 CFR ~~Part 483;~~ 483.150; 42 CFR 483.151; 42 CFR 483.152; 42 CFR
14 483.154; 42 CFR 483.156; 42 CFR 483.158;
15 Eff. January 1, 2016;
16 Emergency Amendment Eff. April 20, 2020;
17 Temporary Amendment Eff. June 26, 2020. 2020;
18 Amended Eff. April 1, 2021.