

1 10A NCAC 130 .0301 is amended under temporary procedures with changes as follows:

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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 483.152 and the State of North Carolina's Nurse Aide I competency ~~exam~~  
10 exam; or

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

13 (b) In applying for reciprocity [transfer] of a nurse aide certification or registration to be listed on the NC Nurse Aide  
14 I Registry pursuant to Subparagraph (a)(2) of this Rule, the applicant [shall meet the following criteria:] 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)~~ training program name(s);

33 ~~(O)~~ training program locations(s);

34 ~~(P)~~ training program completion date(s) with a passing score; and]

35 ~~(Q)~~ employment history;

- 1           (2)     provide documentation verifying that his or her registry listing is active and in good standing in the  
 2           State(s) of ~~[transfer,]~~ reciprocity, dated no older than 30 calendar days prior to the date the  
 3           application is received by the Department; and
- 4           (3)     provide a copy of his or her Social Security card and ~~[a valid]~~ an unexpired government-issued  
 5           identification containing a photograph and signature.

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

- 8           (1)     the applicant has completed an application in accordance with Subparagraph (b)(1) of this Rule;
- 9           (2)     the applicant is listed on another State's registry of nurse aides ~~[with an]~~ as active ~~[status;]~~ and in  
 10          good standing;
- 11          (3)     the applicant has no pending or substantiated findings of abuse, neglect, exploitation, or  
 12          misappropriation of resident or patient property recorded on ~~[another State's registry]~~ other State  
 13          registries of nurse aides;
- 14          (4)     if the applicant has been employed as a nurse aide for monetary compensation consisting of at least  
 15          a total of eight hours of time worked performing nursing or nursing-related tasks delegated and  
 16          supervised by a Registered ~~[Nurse]~~ Nurse, then the applicant shall provide the employer name,  
 17          employer address, and dates of employment for the previous 24 consecutive months;
- 18          (5)     the name listed on the Social Security card and government-issued identification containing a  
 19          photograph and signature submitted with the application matches the name listed on another State's  
 20          registry of nurse aides or that the applicant has submitted additional documentation verifying any  
 21          name changes; and
- 22          (6)     ~~[that]~~ the applicant completed a State-approved nurse aide training and competency evaluation  
 23          program that meets the requirements of 42 CFR ~~[483 Part 152]~~ 483.152 or a State-approved  
 24          competency evaluation program that meets the requirements of 42 CFR ~~[483 Part 154.]~~ 483.154.

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

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

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

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

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

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

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

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

7 ~~(g)~~ (j) Every North Carolina's Nurse Aide I competency exam candidate shall **have, as provided for in 42 CFR Part**  
8 **483.154, have** the opportunity to take the exam **at maximum** three times before being required to retake and pass a  
9 Nurse Aide I training program.

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

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

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19 *History Note:* Authority *G.S. 131E-255; 42 CFR ~~Part 483;~~ 483.150; 42 CFR 483.151; 42 CFR 483.152; 42 CFR*  
20 *483.154; 42 CFR 483.156; 42 CFR 483.158;*  
21 *Eff. January 1, 2016;*  
22 *Emergency Amendment Eff. April 20, ~~2020;~~ 2020;*  
23 *Temporary Amendment Eff. June 26, 2020.*