

**LEGISLATIVE FISCAL ESTIMATE**

[Third Reprint]

**ASSEMBLY, No. 5059**

**STATE OF NEW JERSEY  
219th LEGISLATURE**

DATED: MAY 21, 2021

**SUMMARY**

- Synopsis:** Requires DOH to establish certain nursing education and professional advancement programs.
- Type of Impact:** State Expenditure Increase.
- Agencies Affected:** Department of Health; New Jersey Board of Nursing in the Division of Consumer Affairs in the Department of Law and Public Safety.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Annual</u></b>
<b>State Cost Increase</b>	Indeterminate

- The Office of Legislative Services (OLS) estimates the Department of Health (DOH) and the New Jersey Board of Nursing will each incur one-time indeterminate costs to review the respective requirements outlined under the bill regarding licensure and certification of nurse aides and nurses, and to make or recommend any modifications to those requirements as described under the bill. The OLS assumes that the department, as the entity responsible for certifying nurse aides, and the Board, as the entity responsible for licensing nurses, will each be capable of complying with these provisions with minimal expense.
- To the extent that the department and Board incorporate the Nursing Home Infection Preventionist Training Course with existing requirements, the OLS notes that there will be no cost to the State or other entities as the modules offered under this course are free. However, if the department determined it to be necessary to incorporate a similar course offered through the Association for Professionals in Infection Control and Epidemiology (APIC) with existing requirements, the department may incur costs. This OLS does not have data to quantify this expense, but assumes that the department would need to contract with APIC to use its training modules.

- Finally, the OLS concludes that the department will incur indeterminate costs in establishing a pilot program to develop standards for the professional advancement of certified nurse aides. To the extent that the department utilizes an existing or applicable out-of-State model, as permitted under the bill, the department's expenses to fulfill this provision may be minimized. The OLS notes that: 1) depending on the model selected, there may be additional costs to implement the standards and that the department may be responsible, in part, for these expenses; 2) nursing homes operated by the Department of Military and Veterans Affairs (DMAVA) and certain county governments may experience expenses under the bill if such facilities consult with the department in the establishment of the pilot program.

## **BILL DESCRIPTION**

This bill requires the Board of Nursing to review the current nursing curriculum and education and clinical experience requirements for the completion of a nursing degree and make or recommend such modifications as the board deems appropriate to incorporate, as part of such requirements, the Nursing Home Infection Preventionist Training Course, or any successor course, offered through the federal Centers for Disease Control and Prevention (CDC). Furthermore, the bill directs the Board of Nursing to review the current nursing curriculum and make or recommend such modifications as the board deems appropriate to ensure that licensed practical nurses and registered nurses receive adequate training on post-acute care.

This bill also requires the DOH to review the current education and clinical experience requirements for the certification and professional advancement of certified nurse aides and make or recommend such modifications as the department deems appropriate to incorporate, as part of such requirements, the appropriate portions of the Nursing Home Infection Preventionist Training Course, or any successor course, or a similar course offered through the Association for Professionals in Infection Control and Epidemiology (APIC) with respect to infection control or prevention in long-term care facilities, and any additional or supplemental modules or courses as the department deems appropriate.

The bill provides that the DOH, in consultation with one or more long-term care facilities in this State, or a representative thereof, and representatives of labor organizations, is to establish a pilot program to develop standards, or identify a model that contains standards, for the professional advancement of certified nurse aides. The standards for the professional advancement of certified nurse aides may be based on previous work experience, education level, participation in educational opportunities, training, and work performance. The standards may also be based on any applicable out-of-State models for the professional advancement of certified nurse aides.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS estimates the DOH and the New Jersey Board of Nursing will each incur indeterminate costs to review the respective requirements outlined under the bill regarding the

licensure and certification of nurse aides and nurses, and to make or recommend any modifications to those requirements as described under the bill. The OLS assumes that the department, as the entity responsible for certifying nurse aides, and the Board, as the entity responsible for licensing nurses, will each be capable of complying with these provisions with minimal expense.

To the extent that the department and Board modify these requirements to incorporate the Nursing Home Infection Preventionist Training Course, as authorized under the bill, the OLS notes that there will be no cost to the State or other entities as the modules offered under this course are free. The Nursing Home Infection Preventionist Training course is designed for individuals responsible for infection prevention and control programs in nursing homes and was produced by CDC in collaboration with the Centers for Medicare and Medicaid Services.

The bill also authorizes the department to incorporate portions of a course similar to the Nursing Home Infection Preventionist Training course offered through the Association for APIC, if applicable, with the existing requirements. The APIC's mission, in part, is to educate healthcare personnel about infectious diseases and how to limit their spread, which includes the recent launch of the "Certificate of Training in Infection Prevention in the Long-Term Care Setting" program. This program is specifically designed as an opportunity for state departments of health to sponsor classes. The OLS assumes that the department would incur cost to incorporate portions of this program into the existing certified nurse aide requirements due to contracting with the APIC for use of that organization's existing program; however, the OLS does not have access to any data to quantify these expenses.

Finally, the OLS concludes the department will incur costs in establishing a pilot program to develop standards for the professional advancement of certified nurse aides. The DOH is the entity that regulates certified nurse aides; therefore, this provision falls within the scope of the department's work. To the extent that the department utilizes an applicable out-of-State model, as permitted under the bill, the department's expenses to fulfill this provision may be minimized. The OLS notes that: 1) depending on the model selected, there may be additional costs to implement the standards, such as training expenses and salary increases, and that the department may be responsible, in part, for these expenses; and 2) nursing homes operated by the DMAVA and certain county governments may experience expenses under the bill if such facilities consult with the department in the establishment of the pilot program. However, as the model is unknown, the OLS cannot determine the extent implementation will affect the fiscal impact of the bill. Any cost to implement these standards will increase in relation to the number of long-term care facilities and certified nurse aides participating in the pilot program.

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).