

ASSEMBLY HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5353

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 8, 2021

The Assembly Health Committee reports favorably and with committee amendments Assembly Bill No. 5353.

As amended, this bill provides for the certification of temporary nurse aides. Under the bill, the Commissioner of Health (commissioner) is to issue a nurse aide certification to an applicant who has applied to the Department of Health for certification as a nurse aide, in a manner determined by the commissioner, and who is a temporary nurse aide, if within 45 days following the end of the public health emergency declared in response to COVID-19: the temporary nurse aide has successfully completed a training program and competency assessment authorized under a Centers for Medicare and Medicaid Services (CMS) waiver due to COVID-19 during the public health emergency declared in response to COVID-19, which may have included an online training component and an online examination, and, if so required by the CMS, such additional training as may be required to satisfy the requirements of 42 C.F.R. s.483.1521 or any other federal law or regulation; the temporary nurse aide had worked a minimum of 80 hours under the supervision of a licensed professional nurse during the public health emergency declared in response to COVID-19, and the temporary nurse aide's adequate competency during that period is established by a certification or letter from the director of nursing attesting to the temporary nurse aide's adequate competency; the temporary nurse aide has successfully completed the criminal history record background check required pursuant to section 2 of P.L.1997, c.100 (C.26:2H-83); and the temporary nurse aide has successfully completed a State-approved nurse aide written examination in no more than three attempts.

The bill provides that temporary nurse aides who have not been certified as nurse aides are to be permitted to work as temporary nurse aides for no more than 90 days following the end of the public health emergency declared in response to COVID-19.

COMMITTEE AMENDMENTS:

The committee amendments makes a technical change involving usage and provides that the nurse aide training program may require additional training required by the CMS to satisfy the requirements

of federal laws or regulations. The amendments provide that training requirements are to be completed during the public health emergency declared in response to COVID-19, and that the temporary nurse aide's competency is to be established by the director of nursing as provided in the bill.