State Regulations for Training Nurse Assistants

OBRA 87 is the federal law governing nursing homes. It gives the requirements for nurse assistant training and testing in a general way and allows the states to determine the details of the curriculum and examinations. Five states (Idaho, Michigan, Mississippi, North Carolina, and Wyoming) as well as Washington DC follow OBRA 87 only and have no separate state regulations. All the other states have their own regulations governing nurse assistant training.

AHCA has created an Excel spreadsheet that summarizes the regulations of each state. We did not print it as a table in this Instructor’s Manual for four reasons:

1) the size of the spreadsheet (3 sheets, the largest of which has about 680 rows), which would have taken up 60-70 pages if printed;
2) the format (a grid of 50 states + DC and the topic), which would make it awkward to find information in printed form;
3) the difficulty of updating a printed version; and
4) the ability to customize the information in an electronic format.

The “State CNA Regulations” spreadsheet is available on the AHCA’s web site at http://www.ahcancal.org/quality_improvement/howtobe/Documents/state_cna_regs.xls.

When you open this Excel spreadsheet, you will find four separate sheets:

Sheet 1) State Requirements—this gives the governing body in each state, the hours of instruction required (both classroom and clinical), details about the examination, the in service education required, and a lot of other general information.

Sheet 2) Curriculum Requirements—this is divided in two parts. The first is a list (in alphabetical order) of the skills required in an orientation program—if the state has one. The second, much longer, list is of the required curriculum for nurse assistant training in each state. The curriculum has been divided into these major categories:

- Alzheimer's Disease/Care of the Cognitively Impaired
- Anatomy/Physiology
- Basic Nursing Skills
- Basic Restorative Care
- Care of Resident's Environment
- Communication/Interpersonal Skills
- Competency in the role of the CNA
- Death and Dying
- Family Role and Community Resources
- Food Service Principles
- Growth and Development
- Legal Issues
- Nutrition and Hydration
Observation, Reporting, and Recording Skills
Personal Care Skills
Resident's Independence
Residents' Rights
Safety/Emergency Concepts
Symptoms and Basic Care Considerations

Within each category, the subjects are listed alphabetically.

Sheet 3) Basic Nursing Skills—a very short list for reference.

Sheet 4) Orientation module—a very short list for reference

States vary greatly in the length and detail of their regulations. Some states follow OBRA 87 very closely without much elaboration. Other states go into great detail in describing their required curriculum—Kansas, Maine, and Texas, for example. In compiling the list of curriculum requirements, we tried to remain faithful to the language of state regulations. However, to limit the size of the list we sometimes placed a topic under an existing heading rather than creating a new heading whose wording would be only slightly different. Kansas, for example has a 135-page single-spaced curriculum which is extremely detailed. To add every item to the spreadsheet would probably have required 4,000 rows—for example, under “Depression” are two subheadings, “Behaviors” and “CNA’s Response to Behaviors”; the first has three subheadings of its own, and the second four. In this particular example, the topic was simply checked off under “Depression.” Therefore this spreadsheet is a summary of state regulations, not the regulations themselves. You should always refer back to your state’s regulations for exact wording.

You can download and copy the Excel spreadsheet to customize it for your own purposes—to list only the curriculum requirements of your own state or to compare several states, for example. If you want to see the requirements only for a particular state, note which column the state is in, then simply select all the data (or just click the square at the upper left corner of the spreadsheet to select the entire spreadsheet), then go to the “data” menu and choose “sort.” You then choose which column (state) to sort on. This will put all the X’s (the topics that state requires) in the top rows of the spreadsheet.

If you want to compare states, just “hide” any columns (states) that lie between them. Select the columns you want to hide, then go to the “format” menu, click on “columns,” and click on “hide.” Of course you could also just delete the columns you didn’t want, or copy the columns you did want into another spreadsheet—but it is usually easier just to “hide” unwanted columns. The “sort” feature allows you to sort on three different columns at once.

We used the most recent copy of regulations and curricula available, in almost all cases obtaining the regulations directly from the appropriate state agency. If you find a mistake, please contact AHCA.
Below is the excerpt from OBRA 87 that discusses curriculum:

The curriculum of the nurse aide training program must include:

At least a total of 16 hours of training in the following areas prior to any direct contact with a resident:

- communication and interpersonal skills
- infection control
- safety/emergency procedures, including the Heimlich maneuver
- promoting residents' independence
- respecting residents' rights

**basic nursing skills**

- taking and recording vital signs
- measuring and recording height and weight
- caring for the residents' environment
- recognizing abnormal changes in body functioning and the importance of reporting such changes to a supervisor
- caring for residents when death is imminent

**personal care skills, including but not limited to**

- bathing
- grooming, including mouth care
- dressing
- toileting
- assisting with eating and hydration
- proper feeding techniques
- skin care
- transfers, positioning, and turning

**mental health and social service needs**

- modifying aide's behavior in response to residents' behavior
- awareness of developmental tasks associated with the aging process
- how to respond to resident behavior
- allowing the resident to make personal choices, providing and reinforcing other behavior consistent with the resident's dignity
- using the resident's family as a resource of emotional support

**care of cognitively impaired residents**

- techniques for addressing the unique needs and behaviors of individuals with dementia (Alzheimer's and others)
- communicating with cognitively impaired residents
- understanding the behavior of cognitively impaired residents
- appropriate responses to the behavior of cognitively impaired residents
- methods of reducing the effects of cognitive impairments

**basic restorative services**

- training the resident in self-care according to the resident's abilities
- use of assistive devices in transferring, ambulation, eating, and dressing
- maintenance of range of motion
- proper turning and positioning in bed and chair
bowel and bladder training

care and use of prosthetic and orthotic devices

residents' rights

providing privacy and maintenance of confidentiality

promoting the residents' right to make personal choices to accommodate their needs

giving assistance in resolving grievances and disputes

providing needed assistance in getting to and participating in resident and family groups and other activities

maintaining care and security of residents' personal possessions

promoting the residents' right to be free from abuse, mistreatment, and neglect and the need to report any instances of such treatment to appropriate facility staff

avoiding the need for restraints in accordance with current professional standards