

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 395
LONG-TERM CARE ASSISTANTS AND AIDES TRAINING PROGRAMS CODE

SUBPART A: PROGRAM APPLICATION AND APPROVAL PROCESS

Section

- 395.1 COVID-19 Emergency Provisions
EMERGENCY
- 395.2 COVID-19 Emergency Provisions for Nursing Assistants
EMERGENCY
- 395.50 Definitions
- 395.55 Incorporated and Referenced Materials
- 395.100 Program Sponsor
- 395.110 Application for Program Approval
- 395.120 Review Process and Program Approval
- 395.130 Review of Approved Training Program
- 395.140 Inactive Status
- 395.150 Minimum Hours of Instruction
- 395.155 Train the Trainer Program (BNATP Only)
- 395.156 Train the Trainer Model Program (BNATP Only)
- 395.160 Instructor Requirements (BNATP Only)
- 395.162 Approved Evaluator (BNATP Only)
- 395.165 Program Coordinator (BNATP Only)
- 395.170 Program Operation (BNATP Only)
- 395.171 Health Care Worker Background Check
- 395.173 Successful Completion of the Basic Nursing Assistant Training Program
- 395.174 Successful Completion of the Direct Support Person Training Program
- 395.175 Program Notification Requirements (BNATP Only)
- 395.180 Department Monitoring (Repealed)
- 395.190 Denial, Suspension, and Revocation of Program Approval (BNATP Only)
- 395.200 Other Programs Conducted by Facilities (Repealed)
- 395.205 Program Sponsor (ANATP Only)
- 395.210 Application for Program Approval (ANATP Only)

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

- 395.215 Review Process and Program Approval (ANATP Only)
- 395.220 Review of Approved Program (ANATP Only)
- 395.225 Inactive Status (ANATP Only)
- 395.230 Minimum Hours of Instruction (ANATP Only)
- 395.235 Instructor Requirements (ANATP Only)
- 395.240 Program Coordinator (ANATP Only)
- 395.245 Program Operation (ANATP Only)
- 395.250 Successful Completion of the Advanced Nursing Assistant Training Program (ANATP)
- 395.255 Program Notification Requirements (ANATP Only)
- 395.260 Denial, Suspension, and Revocation of Program Approval (ANATP Only)

SUBPART B: TRAINING PROGRAM CURRICULA REQUIREMENTS

Section

- 395.300 Basic Nursing Assistant Training Program
- 395.305 Advanced Nursing Assistant Training Program
- 395.310 Developmental Disabilities Aide Training Program (Repealed)
- 395.320 Direct Support Person Training Program (BNATP Only)
- 395.330 Psychiatric Rehabilitation Services Aide Training Program
- 395.333 Waivered Psychiatric Rehabilitation Services Aide Training Program

SUBPART C: PROFICIENCY EXAMINATION

Section

- 395.400 Competency Examination (BNATP Only)
- 395.405 Competency Examination (ANATP Only)

AUTHORITY: Implementing and authorized by the Nursing Home Care Act [210 ILCS 45], the ID/DD Community Care Act [210 ILCS 47], and the MC/DD Act [210 ILCS 46].

SOURCE: Adopted at 13 Ill. Reg. 19474, effective December 1, 1989; amended at 17 Ill. Reg. 2984, effective February 22, 1993; emergency amendment at 20 Ill. Reg. 529, effective January 1, 1996, for a maximum of 150 days; emergency expired May 29, 1996; amended at 20 Ill. Reg. 10085, effective July 15, 1996; amended at 22 Ill. Reg. 4057, effective February 13, 1998; amended at 25 Ill. Reg. 4264, effective March 20, 2001; amended at 26 Ill. Reg. 2747, effective February 15, 2002; ; amended at 26 Ill. Reg. 14837, effective October 15, 2002; amended at 37 Ill. Reg. 10546, effective June 27, 2013; amended at 42 Ill. Reg. 6727, effective March 29, 2018;

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

amended at 44 Ill. Reg. 3455, effective February 21, 2020; emergency amendment at 44 Ill. Reg. 5946; effective March 25, 2020 for a maximum of 150 days; emergency amendment at 44 Ill. Reg. _____; effective _____ for a maximum of 150 days.

SUBPART A: PROGRAM APPLICATION AND APPROVAL PROCESS

Section 395.2 COVID-19 Emergency Provisions for Nursing Assistants
EMERGENCY

- a) Temporary Nursing Assistant (TNA) Program. During the duration of Governor Pritzker’s Gubernatorial Disaster Proclamations issued in response to COVID-19, the Department is implementing a Temporary Nursing Assistant Program to address the increasing need for trained health care workers. Upon successful completion of the classroom education and on-the-job training requirements of the TNA Program, as set forth in this Section, individuals will be authorized to provide the patient and resident care services and perform the procedures set forth in subsection (a)(3), which would otherwise be reserved to Certified Nursing Assistants or licensed nurses.
- 1) In order to qualify as a TNA, the individual shall successfully complete at least 8 hours of classroom education on the services and procedures listed in subsection (a)(3), which:
- A) Shall be taken in the facility of employment, or at an alternate location provided by the employer;
- B) Shall be proctored by a Registered Nurse; and
- C) Shall be satisfied by the successful completion of the American Health Care Association’s 8-hour online training course, which can be accessed on its website at <https://educate.ahcancal.org/products/temporary-nurse-aide>. While not a requirement of the TNA Program, individuals are encouraged to review the

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

instructional videos provided at <https://nurseaidetesting.com/program-coordinators-instructors/performance-skills-videos/>, to better enhance their understanding of the skills required to be a competent TNA.

- 2) In order to qualify as a TNA, the individual shall successfully complete at least 8 hours of on-the-job training in the services and procedures listed in subsection (a)(3), as follows:
- A) The training program instructor shall be a Registered Nurse;
 - B) The training program instructor shall ensure that the student meets the competencies set forth on the clinical skills checklist provided by the Department and shall document the competencies on the checklist;
 - C) All on-the-job training shall be under the direct observation of a Registered Nurse; and
 - D) All on-the-job training shall be conducted at the facility of employment, which must be one that is licensed by the State of Illinois.
- 3) TNAs shall receive classroom and on-the-job training on how to provide the following patient/resident care services and procedures:
- A) Performance Skill #1 Wash hands
 - B) Performance Skill #2 Perform Oral Hygiene
 - C) Performance Skill #3 Shave a Resident with an electric razor

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

- D) Performance Skill #4 Give Partial Bath
- E) Performance Skill #5 Give a Shower or Tub Bath
- F) Performance Skill #6 Make Occupied Bed
- G) Performance Skill #7 Dress a Resident
- H) Performance Skill #8 Transfer Resident to Wheelchair Using a Transfer/Gait Belt
- I) Performance Skill #9 Assist with Transfer Using Mechanical Lift
- J) Performance Skill #10 Ambulate with Transfer Belt
- K) Performance Skill #11 Feed A Resident
- L) Performance Skill #12 Calculate Intake and Output
- M) Performance Skill #13 Place Resident in a Side-Lying Position
- N) Performance Skill #14 Measure and Record Temperature, Pulse and Respirations
- O) Performance Skill #15 Measure and Record Blood Pressure
- P) Performance Skill #16 Measure and Record Weight
- Q) Performance Skill #17 Measure and Record Height
- R) Performance Skill #18 Donning and Doffing non-sterile gloves

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

- S) Performance Skill #19 Choking: Heimlich Maneuver
- 4) TNAs shall only be authorized to provide the patient and resident care services and to perform the procedures set forth in subsection (a)(3).
- 5) TNAs shall report to the facility's charge nurse or nursing supervisor and may only be assigned duties authorized in this Section by the supervising nurse(s).
- 6) The facility shall notify its certified and licensed staff members, in writing, that TNAs may only provide the services and perform the procedures listed in subsection (a)(3). The notification shall detail what duties can be delegated to the TNAs.
- 7) If a facility learns that a TNA is performing work outside of the scope of this training, the facility shall:
- A) Stop the TNA from performing the work;
- B) Inspect the work and correct, if done improperly; and
- C) Assign the work to the appropriate personnel.
- 8) The Health Care Worker Background Check Act, 225 ILCS 46, and the Health Care Worker Background Check Code, Part 955 of Title 77, shall apply to the TNA Program, and TNA students and employees shall be included on the Health Care Worker Registry.
- 9) This TNA Program is only authorized for the duration of the Governor's COVID Disaster Proclamations, after which time facilities may no longer employ an individual as a TNA.
- 10) TNAs are not eligible to take the Certified Nursing Assistant competency exam and may not work as a TNA after the

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

Governor's final COVID Disaster Proclamation expires or is rescinded.

- b) The requirement in Section 395.400(b) of this Part that a student must pass the BNATP written competency examination within 12 months after the completion of the BNATP is suspended.

(Source: Added by emergency rulemaking at 44 Ill Reg. _____, effective _____ for a maximum of 150 days)