The nurse aide training and competency evaluation program has generated many questions from nursing facility staff and nurse aides. The most commonly asked questions are presented below. The answers are intended to assist providers and others in complying with Medicaid policies and procedures, particularly those pertaining to the reimbursement of nursing facilities for certification training and testing of nurse aides.

1.) **What is the Nurse Aide Training and Competency Evaluation Program (NATCEP)?**

The Nurse Aide Training and Competency Program (NATCEP) is the result of the Omnibus Budget Reconciliation Act (OBRA) of 1987. The changes as a result of this act prohibit nursing facilities that participate in the Medicare or Medicaid programs from employing an individual as a nurse aide for more than four (4) months, unless the individual completes a state-approved nurse aide competency evaluation program and is certified competent to provide nursing and nursing-related services. Nursing facilities may employ an individual as a nurse aide for up to four (4) months so long as the individual: (1) is a full-time employee, enrolled in a state-approved training and competency evaluation program; or (2) has applied to complete the competency evaluation program; or (3) has demonstrated competence through participation in such a program. In all instances, a nurse aide may only perform nursing tasks for which the nurse aide has demonstrated competence.

In Montana nurse aide training programs are offered by nursing facilities, community colleges, adult education programs, the American Red Cross, (*?and Headmaster?).* Federal regulations describe the required content of these programs, and the Montana Department of Public Health and Human Services (DPHHS) reviews programs for state approval. [*Both Headmaster and the American Red Cross have been approved to conduct the nurse aide competency evaluation program (CEP)]*

2.) **Who is required to complete a Nurse Aide Training and Competency Evaluation Program?**

Anyone who wants to be employed in a nursing facility as a nurse aide must successfully complete a NATCEP and become a certified nurse aide (CNA). In addition, nurse aides who have not performed paid nursing or nursing-related services for a continuous period of 24 consecutive months since completing a NATCEP must complete a new NATCEP or CEP.

3.) **What is the Nurse Aide Registry?**

OBRA '87 required the state to establish and maintain a registry of all individuals who successfully complete a NATCEP or CEP. This registry is maintained by the Division of Quality Assurance (DQA) and is used by nursing facilities to verify the nurse aide's certification status. The names of individuals who have successfully completed the competency evaluation are reported to DQA by the testing program (*Headmaster or American Red Cross).* DQA also documents findings of abuse, neglect, or misappropriation of property by nurse aides on the registry.

Nurse aides are recertified every two years. Sixty days before their certification expires, nurse aides receive a Recertification Application from DQA which asks for verification that the nurse aide has met the minimum work requirement for recertification (at least one 8-hour shift within the 24-month period). The nurse aide is responsible for returning the application in a timely manner.

If a nurse aide does not meet the work requirement or fails to return the recertification Application and thus loses certification, then the nurse aide must complete a new NATCEP or CEP to be recertified.

4.) **Who pay for Nurse Aide Training and Competency Evaluation?**

Generally, nursing facilities are required to pay for nurse aides' certification training and testing costs. Federal regulations explicitly prohibit NATCEPs or CEPs from charging nurse aides <u>who have an offer of employment from or who are employed by a nursing facility</u> for costs associated with training and testing. Additionally, federal regulations require that nurse aides who become employed or who are offered employment within 12 months of completing a NATCEP or CEP be reimbursed for their training and testing costs.

Thus, nursing facilities pay for training and testing costs when:
- the nurse aide is employed by the facility; or

- the nurse aide has an offer of employment by the facility on the date the nurse aide begins a nurse aide training and competency evaluation program.

The nursing facility may determine which NATCEP or CEP program the nurse aide <u>in its employ</u> attends. If a nurse aide chooses to attend another program without the facility's consent, then the facility is **not** required to reimburse costs incurred by the nurse aide. (PLEASE NOTE: The nurse aide has the option to have the competency evaluation conducted at the facility in which the nurse aide is or will be employed.)

When does a nursing facility reimburse nurse aides for their training and testing costs?
The <u>first</u> nursing facility that employs or offers an aide employment within 12 months of the aide completing a NATCEP or CEP is required to reimburse the nurse aide for training and testing costs. The facility may provide this reimbursement of costs over a reasonable period of time while the individual is employed as a nurse aide and stop payment if the nurse aide ceases to be employed.

Nurse aides are recommended to retain receipts for their training and testing costs to present to the nursing facility for reimbursement.

What is a "reasonable period of time"?
"A reasonable period of time' is interpreted to mean about six (6) months.

Is the nursing facility allowed to require the nurse aide to work for a period of time before reimbursement begins?
Yes, but not more than six (6) months.

If the nurse aide leaves the facility before qualifying for full reimbursement, is the facility required to partially reimburse the nurse aide?
Yes, the nursing facility must <u>partially</u> reimburse the nurse aide who terminates employment prior to qualifying for full reimbursement. The partial reimbursement should be based on the percentage of the qualifying period that the nurse aide is actually employed. For example, if a facility uses a 180-day qualifying period and the nurse aide terminates employment after 90 days, then the facility must reimburse the nurse aide for half of the aide's training and testing costs.

Facilities are recommended to develop written policies specifying how nurse aides will be reimbursed for training and testing costs. These policies should describe the facility's qualifying period, if any, the method of reimbursement, if necessary. Facilities should inform their nurse aides of these policies at the time of hiring.

5.) **How does Medicaid reimburse for costs associated with Nurse Aide Training and Testing Programs?**

Medicaid **ONLY** reimburses nursing facilities for costs associated with NATCEP and CEP. Medicaid **NEVER** reimburses individual nurse aides.

Nursing facilities are currently reimbursed for their nurse aide training and testing costs through their per diem rate. These costs are reported on the facility's cost report and become part of the cost consideration in calculating the facility Medicaid per diem rate.

The initial training and testing costs are also tracked by the Senior & Long Term Care Division on a quarterly basis through the NURSE AIDE CERTIFICATION / TRAINING AND COMPETENCY EVALUATION (TESTING) SURVEY. This report does not include costs associated with in-service or on going CNA training, only the certification training and testing. The state must report these costs separately to the federal government as part of the federal reimbursement process. Nursing facilities are required to file the Survey each quarter to report their training and testing costs. If a facility did not have any training or reimbursement to CNA employees for their training outside of the facility, during the quarter it is still required to file a report by entering zeros (0) and signing the report.

Should the facility report costs for recertification tests?
Yes, Medicaid does not distinguish between tests taken for initial certification and tests taken in order to regain certification

Is the facility required to reimburse a CNA for recertification testing if the CNA allowed certification to lapse?
The facility is not required to – but may choose to in order to hire and/or retain the CNA.

If a nurse aide is not successful in passing certification tests, should the facility report the costs for subsequent tests?
Yes. The nurse aide has three opportunities within a quarter to complete the testing successfully, and Medicaid will allow the cost for all three attempts.

Can the facilities report costs for staff other than nurse aides to become CNAs?
No. Nursing facilities can only report costs for staff that are employed on either a full-time or part-time basis as nurse aides.

6.) **Who should be contacted for further information about NATCEP or CEP?**

Questions about the nurse aide registry and state-approved NATCEP and CEP programs should be directed to the Division of Quality Assurance, Department of Public Health and Human Services, P.O. Box 202951, Helena, MT 59620-2951. Telephone - (406) 444-2037 (*or 406-444-4980) or* go to the Nurse Aide Registry link on the Department of Public Health and Human Services website at www.dphhs.state.mt.us.

Questions about Medicaid reimbursement should be directed to the Senior & Long Term Care Division of the Department of Public Health and Human Services, P.O. Box 4210, Helena, MT 59604-4210; Telephone – (406) 444-4077.