

SENATE HEALTH, HUMAN SERVICES AND SENIOR CITIZENS COMMITTEE

STATEMENT TO **SENATE, No. 3421**

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 6, 2021

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 3421.

As amended, this bill provides for the certification of temporary nurse aides. Under the bill, the Commissioner of Health is to issue a nurse aide certification to a temporary nurse aide who has applied to the Department of Health for certification as a nurse aide, in a manner determined by the commissioner, if, within 45 days following the end of the public health emergency declared in response to the coronavirus disease 2019 (COVID-19):

- 1) the temporary nurse aide has successfully completed a training program and competency assessment authorized under a waiver issued by the federal Centers for Medicare and Medicaid Services (CMS) 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;

- 2) if so required by the CMS, the temporary nurse aide has completed any additional training required to satisfy the requirements of 42 C.F.R. s.483.1521 or any other federal law or regulation;

- 3) the temporary nurse aide 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;

- 4) 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

- 5) 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.

As reported by the committee with amendments, Senate Bill No. 3421 is identical to Assembly Bill No. 5353(1R), which was also reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments clarify that the training required under the bill is to have been completed during the public health emergency declared in response to COVID-19, and clarify the requirements for documentation of the temporary nurse aide's adequate competency while working under the supervision of a licensed professional nurse.

The committee amendments add language requiring temporary nurse aides to additionally complete any training as is required under federal law as a condition of full certification as a nurse aide.