

State Sets Emergency Training Rules to Help Nursing Home Staffing Amid COVID-19

Article

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The Wisconsin Department of Health Services has established two temporary, emergency programs with relaxed training requirements to help nursing homes increase nurse aide staffing to help meet the increased demands posed by COVID-19.

The DHS announcement on April 9 implements Governor Tony Evers' Emergency Order No. 21, which was issued April 3. The 120-hour nurse aide training requirement is suspended. (Wis. Admin. Code DHS 129.07(2)(b).) Now, nurse aides may complete either an "emergency" track of 75 hours, including 16 initial training hours, or a "temporary" track of 16 hours.

In the emergency track, aides must complete the 16 hours of initial training and be deemed competent to provide nursing services before they can provide direct care. If they complete 59 more hours, for a total of 75, they will be eligible for inclusion on the nurse aide registration. The 75 hours may include on-the-job training as well as classroom work.

In the temporary track, aides must also complete 16 hours initial training and be deemed competent to provide nursing services before they can provide direct care. They can provide services for which they have been trained. They will not be eligible for inclusion on the nurse aide registry.

For each track, the 16-hour training must include communication and interpersonal skills; infection control; safety/emergency procedures, including the Heimlich maneuver; promoting residents' independence; and respecting residents' rights.

In each track, an attestation form must be completed and kept on file at the nursing home showing that the student has completed the first 16 hours of training.

Facilities interested in the emergency training program must complete a DHS online survey. The survey is not required for the temporary track.

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The order also suspends the requirement that primary instructors for a nursing home (who still must be RNs) have at least two years' experience as an RN including one year working in a nursing home. (Wis. Admin. Code DHS 129.06(1)(a).) In addition, orientation may be limited to employees' responsibilities, fire and accident prevention and emergency procedures. (DHS 132.44(1)(a).)

DHS notes that the Centers for Medicare & Medicaid Services has suspended all enforcement actions during the COVID-19 crisis, and all Nurse Aide Training and Competency Evaluation Program (NATCEP) prohibition orders are suspended, so all nursing homes may participate.

For Community Based Residential Facilities, the governor's order allows 16- and 17-year-olds to work as resident care staff if they meet DHS Chapter 83 requirements, do not work alone, do not pass medications and work under supervision. (DHS 83.16(2).)

Aside from training, the governor's order suspends regulations:

- Allowing discharge of residents for non-payment. (DHS 132.53(2)(a)2.)
- Establishing bed-hold requirements. (DHS 132.53(5).)
- Requiring notice for transferring residents between rooms or beds, if the transfer is for COVID-19 issues. (DHS 132.54.)

Further information is available from the Wisconsin Department of Health Services.

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