

OFFICE OF THE SECRETARY OF STATE

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ARCHIVES DIVISION

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 851

BOARD OF NURSING

FILED

02/24/2025 9:52 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Division 61 and Division 62 - CNA Consolidation Alignment

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/21/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Brandy Ritter
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17938 SW Upper Boones Ferry Rd
Portland, OR 97224

Filed By:
Brandy Ritter
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 03/18/2025

TIME: 2:00 PM - 3:00 PM

OFFICER: Brandy Ritter

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 253-215-8782

CONFERENCE ID: 85629402923

SPECIAL INSTRUCTIONS:

Meeting URL: <https://us06web.zoom.us/j/85629402923>

Meeting ID: 856 2940 2923

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Presenters: Only those registered to provide testimony will be called to present comments.

To register to testify for this hearing, please contact: brandy.ritter@osbn.oregon.gov at least 24 hours prior to the start of the hearing and provide name, address, and affiliation (This is required per OAR 137-001-0030).

Presenters may also register at the beginning of the hearing but are encouraged to pre-register to reserve time during the hearing for the presentation of testimony.

Each presenter will have 3 minutes to testify. Be prepared to summarize your comments to fit within the allotted time.

The hearing will close no later than 3:00 PM and may close earlier if all individuals that have registered to testify have had the opportunity to enter their comments into the record.

Submit Written Comments: Via email: brandy.ritter@osbn.oregon.gov.

All written comments and materials must be received by the close of the comment period on March 21, 2025 at 5:00 PM. Late comments will not be reviewed or considered.

For accommodations or questions, please contact the OSBN Rule Coordinator at least 72 hours prior to the hearing.

NEED FOR THE RULE(S)

Necessary to align with CNA consolidation and Division 63 which the Board has adopted and it becomes law on July 1, 2025.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

42 CFR 483.152

ORS 678.150; ORS 678.155; ORS 678.442; ORS 678.444; ORS 678.445; ORS 678.447; ORS 678.448

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

Adoption of these rules will not affect racial equity in the state.

FISCAL AND ECONOMIC IMPACT:

Economic impact:

- state agencies (ODHS)
- members of the public: nursing assistant education programs; increase in the CNA workforce
- business/small business: nursing assistant education programs

Estimate of the economic impact: Unknown at this time with possible changes with positive impact.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

Economic impact:

- state agencies: ODHS
- local government: none identified
- members of the public: nursing assistant education programs; increase in the CNA workforce by having one level NA programs.
- business/small business: nursing assistant education programs

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

RAC membership for Division 61 and 62 included program directors representing privately owned small business and facility-based programs.

RULES PROPOSED:

851-061-0010, 851-061-0030, 851-061-0050, 851-061-0070, 851-061-0080, 851-061-0090, 851-061-0100, 851-061-0123, 851-062-0020, 851-062-0050, 851-062-0052, 851-062-0054, 851-062-0070, 851-062-0071, 851-062-0072, 851-062-0075, 851-062-0090, 851-062-0115

AMEND: 851-061-0010

RULE SUMMARY: Update curricula vs curriculum

CHANGES TO RULE:

851-061-0010

Purpose of Standards ¶¶

To foster the safe and effective performance of duties by graduates of nursing assistant and medication aide education programs by setting standards which promote adequate preparation of students. These standards will: ¶¶

- (1) Serve as a guide for the development and approval of new nursing assistant and medication aide education programs. ¶¶
- (2) Create minimum standards and provide general parameters for Board-approved curriculuma of established nursing assistant and medication aide education programs. ¶¶
- (3) Allow flexibility in the manner of teaching the required curriculuma when not in conflict with the parameters of Board-approved curriculuma. ¶¶
- (4) Provide for sanctions for nursing assistant and medication aide education programs that do not maintain compliance with Board established standards.

Statutory/Other Authority: ORS 678.440, ORS 678.444

Statutes/Other Implemented: ORS 678.440, ORS 678.444

851-061-0030

Approval of New Nursing Assistant or Medication Aide Education Program ¶¶

(1) Any person, partnership, association, corporation, or limited liability company desiring to offer education other than just nursing assistant or medication aide education to non-employed students will need to be licensed through the Oregon Higher Education Coordinating Commission in addition to meeting the Board's standards as described in these rules.¶¶

(2) All nursing assistant ~~level one, level two,~~ or medication aide education programs must be Board-approved prior to being offered.¶¶

(3) Application for initial approval of ~~level one, level two,~~ nursing assistant and medication aide education programs: A facility, agency, on-line program provider, or individual wishing to establish a new nursing assistant ~~level one, level two,~~ or medication aide education program shall make application to the Board at least 45 days in advance of expected start date. The application for initial approval of an education program must include:¶¶

(a) A completed application form provided by the Board;¶¶

(b) Tentative time schedule for initiating the programs;¶¶

(c) Completed application form provided by the Board with resume for all faculty;¶¶

(d) Names and addresses of all classroom and clinical facilities;¶¶

(e) Name of person authorized to accept service of notices issued by the Board;¶¶

(f) Program rationale, philosophy and purpose;¶¶

(g) Program outline:¶¶

(A) Objectives;¶¶

(B) Curriculum content divided into number and sequence of didactic, laboratory, and clinical hours; and¶¶

(C) Teaching methodology.¶¶

(h) Evaluation method:¶¶

(A) Laboratory and clinical skills checklist approved by the Board; and¶¶

(B) Final exam; and¶¶

~~(C) In addition, for level 2 education programs, a Board-approved competency validation.~~¶¶

(i) Student enrollment agreement and disclosure statement that includes:¶¶

(A) Beginning and ending dates of the education;¶¶

(B) An outline of the instructional program as required by these rules for which the student is enrolled;¶¶

(C) Fees, tuition, and other program costs (books, clothing, etc.) itemized separately;¶¶

(D) A published cancellation and refund policy, procedure, and schedule that is fully explained during orientation, prior to the beginning of instruction, and requires no less than:¶¶

(i) If the education program discontinues after the fees and tuition have been paid, the program provider must refund the tuition and fees in full if the closure happens before the course is completed;¶¶

(ii) If the student cancels enrollment in writing three days before the commencement of the first day of classes or three days before they receive access to the online didactic education, all tuition and fees paid to the program specific to the enrollment agreement, will be refunded, less a cancellation fee that cannot exceed ten percent of the tuition and fees paid; and¶¶

(iii) Clearly stated reasons for which a refund will not be granted; and¶¶

(E) Information about how the student can file a complaint about the program with the Board; and¶¶

(F) Explanation of what job placement assistance the student can expect from the education program.¶¶

(4) A site visit may be conducted by representatives of the Board.¶¶

(5) The program director will be notified of approval or non-approval. Following receipt of notification from the Board of approval or non-approval:¶¶

(a) A program that is approved may begin classes according to the schedule submitted;¶¶

(b) A program that is not approved will be notified of the deficiencies and will be re-evaluated after appropriate modifications are made;¶¶

(c) A program denied approval may petition the Board for reconsideration.¶¶

(6) An approved nursing assistant ~~level one, level 2,~~ or medication aide education program:¶¶

(a) Must be required to demonstrate ongoing compliance with the standards of approval at least every two years for continued approval.¶¶

(b) Must be surveyed for consideration of continued approval and may have a survey visit or interim self-evaluation report required by the Board at any time.¶¶

- (c) May be subject to scheduled or non-scheduled site visits for continued approval or any other purpose at any time.¶¶
 - (d) Must submit an interim self-evaluation during the intervening year or as requested by the Board on forms provided by the Board.¶¶
 - (e) Must have records available for review.¶¶
 - (f) Must have adequate financial support for the stability and continuation of the program.¶¶
 - (g) Must have a written agreement with any clinical facility that is not a part of the controlling institution. Written agreements must:¶¶
 - (A) Be mutually agreed upon with the clinical facility;¶¶
 - (B) Be periodically reviewed;¶¶
 - (C) Include provisions for adequate notice of termination;¶¶
 - (D) Specify the responsibility of the education program to the facility and the responsibility of the facility to the education program; and¶¶
 - (E) Identify functions and responsibilities of the parties involved.
- Statutory/Other Authority: ORS 678.440, ORS 678.444
- Statutes/Other Implemented: ORS 678.444

AMEND: 851-061-0050

RULE SUMMARY: Aligning with consolidation

CHANGES TO RULE:

851-061-0050

Denial or Withdrawal of Program Approval ¶¶

(1) The Board may deny or withdraw approval if standards for approval of new or existing nursing assistant ~~level one, level two,~~ or medication aide education programs are not being met:¶¶

(a) Notice of the deficiency(ies) will be given in writing to the program director;¶¶

(b) The program director may submit evidence of correction to the Board;¶¶

(c) The Board may withdraw program approval immediately or prescribe the time within which the deficiency(ies) must be corrected;¶¶

(d) The approval may be withdrawn if the program fails to correct the deficiency(ies) within the time specified;¶¶

(e) A program may request a hearing if the approval is withdrawn; and¶¶

(f) The withdrawal may be effective after the last currently enrolled student has completed the program.¶¶

(2) Pursuant to Federal Regulations the Board must deny approval to an education program and withdraw approval from a previously approved education program offered by or in a licensed nursing facility or a skilled nursing facility which, in the previous two years:¶¶

(a) Is operating under a waiver for coverage by licensed nurses; or¶¶

(b) Has been subject to an extended survey or partial extended survey; or¶¶

(c) Has been subject to imposition of a denial of payment, temporary manager, or termination; or¶¶

(d) Was assessed a civil money penalty affecting eligibility for the federal Nurse Aide Training and Competency Evaluation Program.¶¶

(3) A program or facility that has had its approval denied or withdrawn pursuant to OAR 851-061-0050(2) may apply to the Department of Human Services for a Waiver of Program Prohibition.¶¶

(4) The Board may withdraw program approval of a nursing assistant ~~level one, level two,~~ or medication aide education program if:¶¶

(a) The program cannot provide satisfactory evidence that the standards for nursing assistant ~~level one, level two,~~ or medication aide education programs are consistently maintained as determined by a survey visit or interim self-evaluation report which may be required by the Board at any time, for any purpose, and may be announced or unannounced; or¶¶

(b) No classes have been taught for 24 consecutive months; or¶¶

(c) The pass rate for graduates of the program falls below 70% for the first-time candidates taking the Board-approved competency examination for two consecutive 12-month periods or below 85% for the first attempt and all subsequent attempts of all exam-takers for the most recent 12 months; or¶¶

(d) An education site visit is not permitted, records are not available for review, or access to students or faculty is denied; or¶¶

(e) The clinical facility fails to permit a site visit of the education program; or¶¶

(f) The parent institution or governing body knowingly makes any false, misleading, or deceptive statements, or submits or causes to be submitted any false, misleading or deceptive information or documentation to the Board or any representative of the Board.¶¶

(5) When program approval is withdrawn, the program must:¶¶

(a) Submit a plan to the Board within ten working days for completion of the currently enrolled students;¶¶

(b) Allow currently enrolled students to complete the course; and¶¶

(c) Submit the required student information to the Board, using the Board approved format, when the students have completed the course.¶¶

(6) The Board may reinstate approval of the program upon submission of satisfactory evidence that the program meets the Board standards.

Statutory/Other Authority: ORS 678.440, ORS 678.444

Statutes/Other Implemented: ORS 678.444

AMEND: 851-061-0070

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-061-0070

Reports and Approvals ¶¶

(1) Program changes requiring Board approval:¶¶

(a) Change of program ownership:¶¶

(A) When ownership of an education program changes, a report must be submitted, in writing within 15 days, to the Board representative containing the following information:¶¶

(i) Anticipated effects on students, faculty and resources; and¶¶

(ii) Plans for the orderly transition of the program.¶¶

(B) If the change in ownership only causes minor changes to the program, as determined by the Board representative, there is no need to seek new approval of the program.¶¶

(C) If the change causes a substantial impact on the students, faculty or program resources, as determined by the Board representative, on the students, faculty, or program resources, an application and approval for the program will be required.¶¶

(b) Changes in course content, lab/clinical skill checklist, final exam, certificate of completion, program director, primary instructor, clinical teaching associate, policies and procedures related to attendance, course requirements, cancellation and refunds, or classroom or clinical sites must be submitted to the Board for approval prior to implementation.¶¶

(2) Program data to be sent to Board:¶¶

(a) Nursing assistant level one and medication aide education programs shall register with the Board:¶¶

~~(A) B~~ by the end of the second class day, each student's:¶¶

~~(iA)~~ Name;¶¶

~~(iiB)~~ Date started education program;¶¶

~~(iiiC)~~ E-mail address; and¶¶

~~(ivD)~~ Phone number.¶¶

~~(B) W~~b Nursing assistant and medication aide education programs shall register with the Board within 14 days of program completion, each student's:¶¶

~~(iA)~~ Number of classroom and clinical hours completed; and¶¶

~~(iiB)~~ Date of program completion;¶¶

~~(b) Nursing assistant level two education programs must submit to the Board, within two weeks of completion of a class, verification of each student's program completion by the Board approved format.~~

Statutory/Other Authority: ORS 678.440, ORS 678.444

Statutes/Other Implemented: ORS 678.440, ORS 678.444

851-061-0080

Standards for Program Approval: Faculty Qualifications and Responsibilities ¶¶

- (1) The education program director must:¶¶
 - (a) Hold a current Oregon RN license;¶¶
 - (b) Have at least two years of RN nursing experience that includes at least one year of direct care; and¶¶
 - (c) Have evidence of completion of a course on teaching adults, or one year of experience teaching adults:¶¶
 - (A) As faculty in a nursing education program;¶¶
 - (B) In a staff development role; or¶¶
 - (C) As a nurse administrator.¶¶
- (2) An applicant for program director whose RN license has been previously disciplined or is under current discipline will be subject to further evaluation by Board staff.¶¶
- (3) Supervision of ~~level one~~ nursing assistant education must be done by:¶¶
 - (a) A program director who has at least one year of nursing experience in the provision of long-term care facility services; or¶¶
 - (b) All primary instructors must have at least one year of nursing experience in the provision of long-term care facility services.¶¶
- (4) ~~Supervision of level two nursing assistant education must be done by:¶¶~~
 - ~~(a) A program director who has at least one year of nursing experience in an acute care facility; or¶¶~~
 - ~~(b) All primary instructors must have at least one year of nursing experience in an acute care facility.¶¶~~
- (5) The program director must:¶¶
 - (a) Act as liaison with the Board related to the program's continuing compliance with the required elements of these rules;¶¶
 - (b) Implement and maintain a program that complies with all Board standards contained in these rules;¶¶
 - (c) Assume the ultimate responsibility for the implementation of the Board-approved curriculum;¶¶
 - (d) Have sufficient time provided for carrying out administrative responsibilities. Number of faculty, students, classes in progress, and locations utilized for classroom and clinical training are to be considered in determining appropriate time allocated;¶¶
 - (e) Recruit, supervise, and evaluate qualified primary instructors and clinical teaching associates;¶¶
 - (f) Provide or arrange for the orientation of the primary instructors and clinical teaching associates to their role and responsibilities.¶¶
 - (g) Develop and implement written policies necessary for the operation of the program, including those maintained under OAR 851-061-0123(3)(g);¶¶
 - (h) Ensure that all students have initiated a criminal history check that meets the laws governing the clinical site facility prior to entering the program and all students are determined eligible to participate in the program's clinical experiences.¶¶
 - (i) Coordinate classroom and clinical sites and activities;¶¶
 - (j) Ensure that the classroom, lab, and clinical environment is conducive to teaching and learning;¶¶
 - (k) Assure that the clinical setting provides an opportunity for the students to perform the skills taught in the curriculum;¶¶
 - (l) Ensure that a Board-approved primary instructor or clinical teaching associate is on the premises at all times during scheduled clinical hours;¶¶
 - (m) Supervise or coordinate supervision of students in the clinical setting or assign this responsibility to the primary instructor.¶¶
 - (n) Assess students' reactions to course content, instructional effectiveness, and other aspects of the learning experience through an anonymous and confidential process;¶¶
 - (o) Submit program data upon request of the Board on forms provided by the Board;¶¶
 - (p) Submit required reports;¶¶
 - (q) Verify that the training facility in which the education program is offered or utilized for the clinical experience is licensed under the appropriate licensing agency and is in substantial compliance with all standards for licensure;¶¶
 - (r) Verify that a facility utilized for out-of-state clinical experience:¶¶
 - (A) Has not been found within the preceding two years, by the state survey and certification agency, using the currently applicable Center for Medicare and Medicaid Services regulations, to be categorized as providing

substandard quality of care;¶

(B) Is no more than 50 miles from an Oregon border; and¶

(C) Has given permission for site visits by Board staff.¶

(s) For medication aide education programs, determine student eligibility by verifying that the applicant:¶

(A) Holds a current certificate to practice as a CNA ~~1~~ on the CNA Registry prior to starting and throughout the medication aide education;¶

(B) Has graduated from an approved basic nurse ~~aide~~ and assistant education program at least six months prior to enrollment in the medication aide education program; and¶

(C) Meets the employment requirement of at least six months of full time experience as a nursing assistant or the equivalent in part time experience since graduation from a basic nursing assistant education program unless the applicant is exempt under OAR 851-062-0090.¶

~~(t5) For level two education programs, determine student eligibility by verifying that the applicant holds a current certificate to practice as a CNA 1 on the CNA Registry prior to starting and throughout the level two education.¶~~

~~(6) Education primary instructor for level one and level two~~ The primary instructor for nursing assistant education program must:¶

(a) Hold a current Oregon RN license.¶

(b) Have at least two years' experience as an RN; and¶

(c) Have evidence of completion of a course on teaching adults, or one year of experience teaching adults.¶

~~(76) Education~~ The primary instructor for medication aide education program must:¶

(a) Hold a current Oregon RN license;¶

(b) Have at least two years of RN nursing experience that includes at least one year:¶

(A) Experience as a nurse educator or in staff development role, or as a primary instructor in a nursing assistant education program; and¶

(B) Working in the provision of long-term care facility services.¶

~~(87)~~ An applicant for primary instructor whose RN license has been previously disciplined or is under current discipline will be subject to further evaluation by Board staff.¶

~~(98)~~ A Director of Nursing is prohibited from being the primary instructor.¶

~~(109)~~ The primary instructor must:¶

(a) Implement the required Board-approved curriculum;¶

(b) Provide effective teaching strategies in an environment that encourages student and instructor interaction;¶

(c) Supervise and be present in the classroom at least 75% of the time that classes are being taught, or for on-line programs, be available for consultation and additional clarification at least every 72 hours;¶

(d) Evaluate competency of students; and¶

(e) The primary instructor of a medication aide program, in addition to the above, must:¶

(A) Obtain approval from a facility prior to using a facility employee as a clinical teaching associate. The facility has the right to refuse such approval;¶

(B) Ensure that each student's clinical experience includes administration of medications by all approved routes of administration and includes administration of a variety of medications; and¶

(C) Supervise the clinical experience for all medication aide students. Clinical teaching associates may be used as appropriate.¶

~~(110)~~ Other personnel from the healthcare professions may supplement the instructor in their area of expertise:¶

(a) For a nursing assistant ~~level one and level two~~ education program, the program director or primary instructor may:¶

(A) Involve as trainers for a specific portion of the nursing assistant education, other licensed nursing personnel or other licensed health care professionals who have at least one year of experience in their field.¶

(B) Use an approved clinical teaching associate who must:¶

(i) Hold a current Oregon RN or LPN license; and¶

(ii) Have the equivalent of at least one year of experience as a licensed nurse.¶

(b) For a medication aide education program, the clinical teaching associate must:¶

(A) Hold a current Oregon RN or LPN license;¶

(B) Have the equivalent of at least one year full time experience as a licensed nurse and must have six months' nursing experience in a facility licensed the same as the setting in which the medication aide student will be passing medications;¶

(C) Provide direct supervision of students; and¶

(D) Have only the responsibility for clinical precepting during the scheduled clinical experience.¶

(c) An applicant whose nursing license has been previously disciplined or is under current discipline will be subject to further evaluation by Board staff.¶

(d) Certified medication aides, resident care managers, and directors of nursing are prohibited from acting as clinical teaching associates for medication aide students.¶

(e) A Board-approved clinical teaching associate may assist the primary instructor in the classroom or lab setting to meet the faculty-to-student ratios.

Statutory/Other Authority: ORS 678.440, ORS 678.444

Statutes/Other Implemented: ORS 678.440, ORS 678.444

851-061-0090

Standards for Program Approval: Curriculum ~~a~~¶

(1) ~~Board-approved curriculum must be used in approved nursing assistant level one, level two, and m~~Nursing assistant and medication aide education programs must use Board-approved curricula. The Board-approved curriculum for nursing assistant education is found in Curriculum Content for Assistant Education Programs (approved 02/20/2025; effective 07/01/2025). The Board-approved curriculum for medication aide education program is found in Curriculum Content for Medication a~~Aide e~~Education p~~Programs (approved 02/20/2025; effective 07/01/2025).~~¶

(2) ~~A nursing assistant level one~~A nursing assistant level one education program must consist of at least 105 hours divided into:¶

(a) ~~At least 37 hours of classroom instruction, which may be provided via a live virtual platform;~~¶

(b) ~~At least 28 hours of supervised laboratory instruction with return student demonstrations of learned skills to determine comprehension and competency, in addition to facility orientation, preceding the students' care of clients; and~~¶

(c) ~~At least 40 hours of supervised clinical experience in a hospital, licensed ndursing, residential care, or assisted living facility that has an RN on duty d which the student has the opportunity to perform the skills taught in the Board-approved nursing all-scheduled student clinical hours, is in substantial compliance with all standards of licensure, and provides an opportunssistant curriculum. The supervised clinical experience must occur in a hospital, licensed nursing facility, licensed residential care facility, for the student to perform the skills taught in the Board's approvlicensed assisted living facility. An RN must be on duty during all scheduled supervised curriculumlinical experience hours.~~¶

(3) ~~An on-line nursing assistant level one~~An on-line nursing assistant level one education program must consist of at least 105 hours divided into:¶

(a) ~~At least the equivalent of 37 hours of the on-line didactic portion of the curriculum according to the nationally recognized standard of content to credit ratio;~~¶

(b) ~~At least 28 hours of supervised laboratory instruction provided no later than two weeks after the successful completion of the on-line portion of the curriculum. The laboratory portion of the program must include return student demonstration of learned skills to determine comprehension and competency, in addition to facility orientation, preceding the students' care of clients;~~¶

(c) ~~At least 40 hours of supervised clinical experience in a hospital, licensed ndursing, residential care, or assisted living facility that has an RN on duty d which the student has the opportunity to perform the skills taught in the Board-approved nursing all-scheduled student clinical hours, is in substantial compliance with all standards of licensure, and provides an opportunssistant curriculum. The supervised clinical experience must occur in a hospital, licensed nursing facility, licensed residential care facility, for the student to perform the skills taught in the Board's approved curriculumlicensed assisted living facility. An RN must be on duty during all scheduled supervised clinical experience hours;~~¶

(d) ~~Ongoing technical support services to sustain the electronically offered program including provisions for staffing, reliability, privacy, and security; and~~¶

(e) ~~Ongoing technical support services for students on each required educational technology hardware, software, and delivery system.~~¶

(4) ~~A nursing assistant level two~~Medication aide education program must consist of:¶

(a) ~~A at least 880 hours of instruction divided into 60 hours of classroom/lab instruction and 28 hours of supervised clinical experience in a hospital, licensed nursing, residential care, or assisted living facility that has a RN on duty during all scheduled student clinical hours, is in substantial compliance with all standards of licensure, and provides an opportunity for the student to perform the skills taught in the Board's approved curriculum. The classroom instruction may include hybrid synchronous didactic model; and~~¶

(b) ~~Board approved competency validation.~~¶

(5) ~~Medication aide education program must consist of:~~¶

(a) ~~At least 84 hours of instruction dividdivided into:~~¶

(a) ~~At least 45 hours of didactic, which may be provided via a live virtual platform~~¶

(b) ~~At least 11 hours of supervised laboratory instruction with return student demonstrations of learned skills to determine comprehension and competency, in addition to facility orientation, preced-into at least 60 hours of classroom/lab instruction and at least 24 hours of 1:1 supervised clinical experience. The classroom instruction may include hybrid synchronous didactic model;~~¶

(b) ~~All clinical hours must be completed at one site (licensed nursing facility, hospital, assisted living facility, or~~

~~residential care facility)g the students' care of clients; and¶~~

~~(c) At least 24 hours of 1:1 supervised clinical experience during which the student has the opportunity to perform the skills taught in the Board-approved medication aide curriculum. The supervised clinical experience must occur in a hospital, licensed nursing facility, licensed residential care facility, or licensed assisted living facility. An RN must be on duty during all scheduled supervised clinical experience hours; and¶~~

~~(ed) All required clinical hours must be in medication administration related activities.¶~~

~~(65) Admission requirements for medication aide education programs must be:¶~~

~~(a) Current, CNA 4-status on the Oregon CNA Registry maintained by the Board;¶~~

~~(b) Documentation of graduation from an approved basic nursing assistant level 1 education program at least six months prior to enrollment in the medication aide education program; and¶~~

~~(c) Documentation of at least six months full time experience as a nursing assistant level 1 or the equivalent in part time experience since graduation from a basic nursing assistant education program.¶~~

~~(76) An on-line nursing assistant level two or medication aide education program must consist of:¶~~

~~(a) At least the nationally recognized standard of content to credit ratio to meet the Board's curriculum policy for the specific education program;¶~~

~~(b) Supervised laboratory instruction that meets the Board's approved curriculum at least 80 hours divided into:¶~~

~~(a) At least the equivalent of 45 hours of the on-line didactic portion of the curriculum according to the nationally recognized standard of content to credit ratio;¶~~

~~(b) At least 11 hours of supervised laboratory instruction provided no later than two weeks after the successful completion of the on-line portion of the curriculum. The laboratory portion of the program must include return student demonstration of learned skills to determine comprehension and competency, in addition to facility orientation, preceding the students' care of clients;¶~~

~~(c) SAt least 24 hours of 1:1 supervised clinical experience during which the student has the opportunity to perform the skills taught in the Board-approved medication aide curriculum. The supervised clinical experience must occur in a hospital, licensed nursing, residential care, or facility, licensed residential care facility, or licensed assisted living facility that has an RN. An RN must be on duty during all scheduled student supervised clinical hours, is in substantial compliance with all standards of licensure, and provides an opportunity for the student to perform the skills taught in the Board's approved curriculum experience hours;¶~~

~~(d) All required clinical hours must be in medication adminsitration related activities;¶~~

~~(de) Ongoing technical support services to sustain the electronically offered program including provisions for staffing, reliability, privacy, and security; and¶~~

~~(ef) Ongoing technical support services for students on each required educational technology hardware, software, and delivery system.¶~~

~~(87) Classroom and clinical faculty/ to student ratios for nursing assistant level one, level two, and medication aide education programs:¶~~

~~(a) Classroom:¶~~

~~(A) The ratio of students per Board-approved faculty in the classroom must be such that each trainee is provided with RN assistance and supervision and be no more than 30 students per instructor for nursing assistant level one, and medication aide, and CNA level two education programs.¶~~

~~(B) The amount of students assigned per Board-approved faculty with self-directed, on-line instruction must be such that each student is provided with consultation and additional clarification by Board-approved faculty within 72 hours of a student's inquiry.¶~~

~~(C) The ratio of students per Board-approved faculty with faculty-directed, on-line instruction must be such that each student is provided with consultation and additional clarification by Board-approved faculty within 72 hours of a student's inquiry, and the class size must be no more than 30 students per Board-approved faculty per on-line classroom.¶~~

~~(b) Lab: The ratio of students per Board-approved faculty in nursing assistant level one, level two, and medication aide education programs must be no more than 10 students per Board-approved faculty at all times during the lab experience.¶~~

~~(c) Clinical:¶~~

~~(A) The ratio of students per Board-approved faculty in a nursing assistant level one and level two education program must be no more than ten students per Board-approved faculty at all times during the clinical experience.¶~~

~~(B) The ratio of students per Board-approved faculty in a medication aide education program must begin with a ratio of one clinical teaching associate to one medication aide student during the first 24 hours of the clinical experience. Less intensive supervision (either more students per Board-approved faculty or less direct supervision by Board-approved faculty) may occur after the first 24 hours, with satisfactory evaluation and approval of the primary instructor and clinical teaching associate.¶~~

~~(98) Clinical experience and demonstration of competency for nursing assistant level one and medication aide~~

education programs:¶

(a) A clinical schedule must be prepared by program faculty for all students prior to the course start date, and provided to the clinical facility director of nursing, the clinical teaching associate, and the student.¶

(b) Student practice and demonstration of competency for nursing assistant ~~level one~~ and medication aide education programs:¶

(A) Students may provide direct client care within their authorized duties under the supervision of a Board-approved faculty member.¶

(B) Students must be identified as students at all times while in the clinical area.¶

(C) Students must not be counted as staff or utilized as staff during the hours that are scheduled for clinical experience.¶

(D) Students may be on a unit, floor or wing of a facility only under direct supervision of a qualified faculty member.¶

(E) Students must not be on a unit, floor, or wing without a CNA or licensed nurse.¶

(F) Students must provide care only to the level they have been taught and determined competent by the approved clinical teaching associate.¶

(c) In addition, for medication aide education programs, the clinical experience must be progressive with the Board-approved clinical teaching associate observing the medication administration and gradually increasing the number of clients to whom the student is administering medications;¶

~~(10) Program completion:¶~~

~~(a2)~~ Completion of a nursing assistant ~~level one~~ or medication aide education program means that:¶

~~(Aa)~~ The student has successfully completed 100% of the required classroom and clinical hours and content in the curriculum;¶

~~(Bb)~~ The student has successfully demonstrated the required skills on the laboratory and clinical skills checklist;¶

~~(Cc)~~ The student has achieved a score of 75% or higher on the program's final examination;¶

~~(Dd)~~ The student has successfully completed the clinical portion of the program no later than four months following the last date of classroom instruction or within four months after the successful completion of the on-line portion of the program; and¶

~~(Ee)~~ In addition, for nursing assistant ~~level one~~ education programs, the student has successfully completed current, adult CPR certification in accordance with Board-approved curriculum.¶

~~(b) Completion of a nursing assistant level two education means that:¶~~

~~(A) The student has successfully completed 100% of the required classroom and clinical hours and content in the curriculum; and¶~~

~~(B) The student has successfully completed the competency validation.~~

Statutory/Other Authority: ORS 678.440, ORS 678.444

Statutes/Other Implemented: ORS 678.444

AMEND: 851-061-0100

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-061-0100

Standards for Program Approval: Responsibility to Students ¶¶

The nursing assistant ~~level 1~~ and medication aide education programs will be accountable to students by:¶¶

(1) Providing reasonable assurance that expectations of becoming a certified nursing assistant or medication aide will be met, as evidenced by maintaining:¶¶

(a) At least a 70% pass rate for first-time candidates taking the Board-approved competency examination for two consecutive 12-month periods; and¶¶

(b) An 85% or higher total pass rate that includes first-attempt and all subsequent attempts of all exam-takers for the most recent 12 months.¶¶

(2) Informing students of the following information:¶¶

(a) That for facility-based nursing assistant ~~level 1~~ programs, no student who is employed by, or who has received an offer of employment from a facility on the date on which the student begins the educational program will be charged for any portion of the program, including any fees for textbooks or other required course materials in accordance with federal regulations.¶¶

(b) The Department of Human Services and Board of Nursing's criminal history requirements and policies. This information must be provided to students prior to admission to the program.¶¶

(3) Issuing the Board-approved certificate of completion or making an appropriate notation on a transcript for a graduate who has successfully completed the education.

Statutory/Other Authority: ORS 678.440, ORS 678.444

Statutes/Other Implemented: ORS 678.444

AMEND: 851-061-0123

RULE SUMMARY: Consolidation alignment

CHANGES TO RULE:

851-061-0123

Standards for Program Approval: Records

A system of nursing assistant ~~level 1, level 2,~~ and medication aide education program records must be made available to the Board representative and:¶¶

- (1) Be maintained for a period of seven years;¶¶
- (2) Be maintained in a secure and dry manner; and¶¶
- (3) Include the following program files that are dated and contain:¶¶
 - (a) Faculty name and qualifications;¶¶
 - (b) Curricula, including the teaching methodology;¶¶
 - (c) Course schedules, including classroom and supervised clinical hours;¶¶
 - (d) Laboratory and clinical skill checklists; ¶¶
 - (e) Final exams; ¶¶
 - (f) Documentation of Board approvals and re-approvals; and ¶¶
 - (g) Policies, including but not limited to attendance, behavioral expectations, course requirements including satisfactory progress standards, criminal history checks, dress code, cancellations and refunds, and administration of examinations.¶¶
- (4) Include student records that contain:¶¶
 - (a) Course start date;¶¶
 - (b) Document signed by student stating that they have received, read, and understand the disclosure statement, enrollment agreement, and program policies;¶¶
 - (c) Student progress record;¶¶
 - (d) Laboratory and clinical skills checklist;¶¶
 - (e) Attendance record;¶¶
 - (f) Examination scores;¶¶
 - (g) Proof of CPR certification (nursing assistant ~~level 1~~ education program);¶¶
 - (h) Proof of the criminal history check;¶¶
 - (i) Date of completion;¶¶
 - (j) Record of student completion:¶¶
- (A) Facility-based and independent programs shall must maintain a copy of the student certificate of completion;¶¶
- (B) Community College and High School programs may meet this standard by appropriate notation on student transcript; and¶¶
- (k) Date the student was employed (if applicable).

Statutory/Other Authority: ORS 678.440, ORS 678.444

Statutes/Other Implemented: ORS 678.444

AMEND: 851-062-0020

RULE SUMMARY: Consolidation alignment

CHANGES TO RULE:

851-062-0020

Oregon CNA Certification ¶¶

(1) An individual must have an active Oregon CNA ~~1~~-certification and be listed on the Oregon CNA Registry before performing CNA ~~1~~-authorized duties. ¶¶

(2) A student nursing assistant in a Board-approved training program may perform nursing assistant duties with appropriate supervision. ¶¶

(3) An unlicensed person who is performing tasks that have been delegated by a Registered Nurse according to OAR 851-047-0000 through OAR 851-047-0040 is exempt from the certification requirement. ¶¶

(4) Successful completion of a Board-approved nursing assistant training program and competency examination alone does not qualify an individual for Oregon CNA ~~1~~-certification. All application requirements must be met before certification is issued. ¶¶

(5) An RN, LPN or student nurse must have active CNA ~~1~~-certification before being identified as a CNA and performing CNA authorized duties. ¶¶

(6) An RN or LPN employed as a CNA must not perform duties outside of the CNA authorized duties while working as a CNA.

Statutory/Other Authority: ORS 678.440, ORS 678.442

Statutes/Other Implemented: ORS 678.440, ORS 678.442

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-062-0050

CNA ~~1~~ Certification Eligibility

An applicant for CNA ~~1~~ certification must submit a completed application. An initial applicant submitting an application after July 1, 2021, must attest to having at least two hours of cultural competency education in the two years preceding the receipt of a completed application. An individual may qualify for CNA ~~1~~ certification in one of the following ways:

(1) Board-Approved Nursing Assistant Training Program:

(a) Complete a Board-approved nursing assistant ~~level one~~ training program within one year of application. If the training program was completed in another U.S. state or jurisdiction, provide proof of the training. Documents accepted as proof are listed below and should be sent directly to the Board by the issuing institution:

(A) Certificate that states the date of completion and number of classroom and clinical hours; or

(B) Verification from the training organization or state regulatory agency on official letterhead that states date of completion and number of classroom and clinical hours; and

(b) Pass the Board-approved competency examination within one year of application. There is no limit on the number of times an individual can take the exam within the one year period.

(2) Military Corpsman or Medic Training and Experience:

(a) Submit with application:

(A) A Joint Services transcript that documents training as an aeronautical medic, combat medic 68W, or medical training as a naval corpsman; and

(B) A DD214 that documents service in the U.S. Air Force, Army, Coast Guard, Marines, or Navy within two years of application.

(b) Pass the Board-approved competency examination within one year of application. There is no limit on the number of times an individual can take the exam within the one year period.

(3) RN or LPN Licensure:

(a) Hold an active, unencumbered RN or LPN license. An individual with an encumbered license will be considered on a case by case basis.

(b) If licensed in another U.S. state or jurisdiction, arrange for primary source verification of active unencumbered RN or LPN license to be sent directly to the Board.

(4) Student Nurse:

(a) Provide proof of current enrollment in an approved U.S. nursing education program. Documents accepted as proof of enrollment are listed below and should be sent directly to the Board by the issuing institution:

(A) An official transcript; or

(B) Documentation of program enrollment from the director or dean on official school letterhead; and

(b) Completion of coursework that has been determined by the Board to be equivalent to the Board-approved nursing assistant ~~level one~~ training program curriculum; and

(c) Pass the Board-approved competency examination within one year of application. There is no limit on the number of times an individual can take the exam within the one year period.

(5) Nursing Assistant from Another U.S. State or Jurisdiction Applying by Endorsement:

(a) Completion of a nursing assistant training program that meets OBRA standards. Documents accepted as proof are listed below and should be sent directly to the Board by the issuing institution:

(A) Certificate that states date of completion and number of classroom and clinical hours; or

(B) Verification from training organization or state regulatory agency on official letterhead that states date of completion and number of classroom and clinical hours;

(b) Worked at least 400 hours in the last two years in another U.S. state or jurisdiction with active CNA certification, in a paid position doing CNA authorized duties with supervision by an RN or LPN or monitoring by an RN. If it has been less than two years from completion of training program, this requirement is waived.

(c) If the Board is unable to verify current CNA certification from a primary source database, the nursing assistant will arrange for primary source verification of active

CNA certification from the U.S. state or jurisdiction in which certification is held to be sent directly to the Board.

(d) An individual who cannot satisfy these requirements may:

(A) Complete a Board-approved nursing assistant ~~level one~~ training program; and

(B) Pass the Board-approved competency examination within one year of application. There is no limit on the number of times an individual can take the exam within the one year period.

Statutory/Other Authority: ORS 678.440, ORS 678.442, ORS 676.850
Statutes/Other Implemented: ORS 678.442, ORS 676.850

REPEAL: 851-062-0052

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-062-0052

CNA 2 Certification Eligibility

An applicant for CNA 2 certification must submit a fully completed application established by the Board. An individual may qualify for CNA 2 certification in one of the following ways:¶¶

(1) Board-Approved CNA 2 Education Program:¶¶

(a) Hold active Oregon CNA 1 certification. A CNA who has an active encumbered CNA 1 will be considered on a case by case basis.¶¶

(b) Complete a Board-approved nursing assistant level one education program; and¶¶

(c) Pass the education program's competency evaluation.¶¶

(2) RN or LPN Licensure:¶¶

(a) Hold an active, unencumbered RN or LPN license. An individual with an encumbered license will be considered on a case by case basis; and¶¶

(b) Hold current Oregon CNA 1 certification; and¶¶

(c) Submit a completed application for CNA 2 certification.¶¶

(d) If licensed in another U.S. state or jurisdiction, arrange for primary source verification of active unencumbered RN or LPN license to be sent directly to the Board.¶¶

(3) Student Nurse:¶¶

(a) Hold a current Oregon CNA 1 certification; and¶¶

(b) Submit a completed application for CNA 2 certification; and¶¶

(c) Provide proof of current enrollment in an approved U.S. nursing education program. Documents accepted as proof of enrollment are listed below and should be sent directly to the Board by the issuing institution:¶¶

(A) An official transcript; or¶¶

(B) Documentation of program enrollment from the director or dean on official school letterhead.¶¶

(d) Completion of coursework that has been determined by the Board to be equivalent to the Board-approved nursing assistant level two training program curriculum.

Statutory/Other Authority: ORS 678.440, ORS 678.442

Statutes/Other Implemented: ORS 678.442

AMEND: 851-062-0054

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-062-0054

Temporary Certification as a CNA~~1~~ for Spouses and Domestic Partners of Active Duty Armed Forces of the United States Stationed in Oregon

(1) A temporary certification to practice as a Certified Nursing Assistant (CNA~~1~~) shall be issued to the spouse of active duty armed forces personnel when the following requirements are met:^{¶¶}

(a) A completed application and payment of fee is received by the Board; and^{¶¶}

(b) Submission of copy of the military orders assigning the active duty member to an assignment in Oregon; and^{¶¶}

(c) The spouse holds a current certification as a CNA in another state; and^{¶¶}

(d) The certificate is unencumbered and verified as active and current through processes defined by the Board.^{¶¶}

(2) The temporary certificate shall expire on the following date, whichever occurs first:^{¶¶}

(a) Oregon is no longer the duty station of the active armed forces member; or^{¶¶}

(b) The certificate in the state used to obtain a temporary certificate expires; or^{¶¶}

(c) Two years after the issuance of the temporary certificate; or^{¶¶}

(d) When no longer a spouse or domestic partner of an active duty armed forces member.^{¶¶}

(3) This temporary certificate is not renewable. If the dates in section two of this rule are exceeded and the spouse continues to practice in Oregon, the spouse must apply for an active Oregon certificate. This certificate must be obtained using the processes and fees established for permanent certification. Continuing to work in Oregon when the temporary certificate has expired will be considered practicing without a valid certificate and is subject to Board action.

Statutory/Other Authority: ORS 678.150, ORS 678.390, ORS 678.440

Statutes/Other Implemented: ORS 678.150, ORS 678.390, ORS 678.440

AMEND: 851-062-0070

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-062-0070

Renewal of CNA ~~1 and 2~~ Certification

(1) Renewal applications will not be processed until all fees have been submitted. The official time of application is per Board records. There is no grace period for certification renewal. The certificate holder must submit a completed application in accordance with the timeline described in ORS 678.101.¶¶

(a) The certification shall automatically expire if the CNA fails to renew by the expiration date.¶¶

(b) A CNA may not work as a CNA with an expired certification.¶¶

(c) Failure to receive the renewal reminder shall not relieve the CNA of the responsibility of renewing the certificate by the expiration date.¶¶

(d) A CNA may renew certification up to 30 days post expiration date by paying a late fee. After 30 days the certificate holder must comply with the rules described in OAR 851-062-0071.¶¶

(2) Renewal Requirements:¶¶

(a) Submit a completed application before the expiration date of CNA ~~1~~ certification.¶¶

(b) A renewal applicant submitting an application after July 1, 2021, must attest to having at least two hours of cultural competency education in the two years preceding the receipt of a completed application.¶¶

(c) Paid Employment: Worked at least 400 hours in a paid position within the last two years with active CNA certification. A CNA who has been certified for less than two years or has successfully passed the Board-approved competency examination within the last two years is exempt from the 400 hour paid employment requirement. Hours worked as a CNA ~~2~~ or CMA within the last two years may be used as part or all of the required 400 hours of paid employment.¶¶

(d) Student Nurse: A nursing student may renew without documentation of paid employment by providing proof of current enrollment in an approved U.S. nursing education program. Documents accepted as proof are listed below and should be sent directly to the Board by the issuing institution:¶¶

(A) An official transcript; or¶¶

(B) Verification of enrollment from the director or dean on official school letterhead.¶¶

(e) RN or LPN Licensure: A currently licensed RN or LPN may use their RN or LPN practice hours within the last two years as part or all of the required 400 hours of paid employment. If licensed in another U.S. state or jurisdiction, arrange for primary source verification of active unencumbered RN or LPN license to be sent directly to the Board.¶¶

(3) The CNA has the burden of proof that activities meet the employment requirement.¶¶

(4) The Board may validate employment hours through a random audit process.¶¶

(5) A nursing assistant who cannot meet all the employment requirements for renewal may apply for reactivation of certification.

Statutory/Other Authority: ORS 678.440, ORS 678.442, ORS 676.850, ~~SB 39~~

Statutes/Other Implemented: ORS 678.442, ORS 676.850

AMEND: 851-062-0071

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-062-0071

Reactivation of CNA 1 and 2 Certification

- (1) To reactivate certification that is expired by more than 30 days but less than two years, an applicant must submit a completed application and qualify for CNA reactivation in one of the following ways:¶
- (a) Paid employment: Worked at least 400 hours in the last two years in any U.S. state or jurisdiction with active CNA certification, in a paid position doing CNA authorized duties with supervision of an RN or LPN or monitoring by an RN. Hours worked as a ~~CNA 2 or CMA~~ within the last two years may be used as part or all of the required 400 hours of paid employment. If it has been less than two years from completion of training program, this requirement is waived.¶
- (b) Exam: Pass the Board-approved competency examination within one year of application. There is no limit on the number of times an individual can take the exam within the one year period.¶
- (c) Student Nurse: A nursing student may reactivate without documentation of paid employment by providing proof of current enrollment in an approved U.S. nursing education program. Documents accepted as proof of enrollment are listed below and should be sent directly to the Board by the issuing institution:¶
- (A) An official transcript; or¶
- (B) Documentation of program enrollment from the director or dean on official school letterhead.¶
- (d) Active RN or LPN: A currently licensed RN or LPN may use their RN or LPN practice hours within the last two years as part or all of the required 400 hours of paid employment. If licensed in another U.S. state or jurisdiction, arrange for primary source verification of active unencumbered RN or LPN license to be sent directly to the Board.¶
- (2) To reactivate certification that is expired by more than two years, an applicant must submit a completed application and qualify for CNA reactivation in one of the following ways:¶
- (a) Paid Employment: Worked at least 400 hours in the last two years in another U.S. state or jurisdiction with active CNA certification. If it has been less than two years from completion of training program, this requirement is waived. If the Board is unable to verify current CNA certification from a primary source database, the nursing assistant will arrange for primary source verification of active CNA certification from the U.S. state or jurisdiction in which certification is held to be sent directly to the Board.¶
- (b) Student Nurse: A nursing student may reactivate without documentation of paid employment by providing proof of current enrollment in an approved U.S. nursing education program. Documents accepted as proof are listed below and should be sent directly to the Board by the issuing institution:¶
- (A) An official transcript; or¶
- (B) Verification of enrollment from the director or dean on official school letterhead.¶
- (c) Active RN or LPN: A currently licensed RN or LPN may use their RN or LPN practice hours within the last two years as part or all of the required 400 hours of paid employment. If licensed in another U.S. state or jurisdiction, arrange for primary source verification of active unencumbered RN or LPN license to be sent directly to the Board.¶
- (3) An applicant for reactivation submitting an application after July 1, 2021 must attest to having at least two hours of cultural competency education in the two years preceding the receipt of a completed application.¶
- (4) The CNA has the burden of proof that activities meet the employment requirement.¶
- (5) The Board may validate employment hours through a random audit process.¶
- (6) A nursing assistant who cannot meet requirements for reactivation may become certified by re-entry.¶
- ~~(7) An individual whose CNA 2 has been expired for less than two years may reactivate their CNA 2 once their CNA 1 is current.~~

Statutory/Other Authority: ORS 678.440, ORS 678.442, ORS 676.850

Statutes/Other Implemented: ORS 678.442, ORS 676.850

AMEND: 851-062-0072

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-062-0072

CNA 1 and 2 Re-entry

An individual whose CNA 1 certification is expired and the individual cannot meet all the requirements for reactivation is required to submit a completed application and if submitting an application after July 1, 2021, attest to having at least two hours of cultural competency education in the two years preceding the receipt of a completed application. The applicant must qualify for re-entry in the following way:

~~(1) Board-Approved Nursing Assistant Training Program;~~

~~(a) Complete by;~~

~~(1) Completing~~ a Board-approved nursing assistant training program within one year of application; and

~~(b2)~~ Passing the Board-approved competency examination within one year of application. There is no limit on the number of times an individual can take the exam within the one year period.

~~(2) An individual that held CNA 2 designation and whose CNA 1 has been expired for more than two years must:~~

~~(a) Obtain a current CNA 1; and~~

~~(b) Take a Board-approved CNA 2 training program; and~~

~~(c) Pass the program-administered competency examination.~~

Statutory/Other Authority: ORS 678.440, ORS 678.442, ORS 676.850

Statutes/Other Implemented: ORS 678.442, ORS 676.850

AMEND: 851-062-0075

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-062-0075

CNA ~~1 and 2~~ Reinstatement

An applicant for CNA ~~1 or 2~~ reinstatement must submit a fully completed application and if submitting an application after July 1, 2021, attest to having at least two hours of cultural competency education in the two years preceding the receipt of the application.¶¶

(1) An applicant for reinstatement of a CNA certification must:¶¶

(a) Meet all terms and conditions of reinstatement imposed by the Board; and¶¶

(b) ~~Take~~Complete a Board-approved nursing assistant ~~level one and two~~ training program; and¶¶

(c) Pass the competency exam within one year of date of training program completion. There is no limit on the number of times an individual can take the exam within the one year period.¶¶

(2) Reinstatement is required for certification that was voluntarily surrendered by the CNA or revoked by the Board.

Statutory/Other Authority: ORS 678.442, ORS 676.850, ORS 678.150

Statutes/Other Implemented: ORS 678.442, ORS 676.850

AMEND: 851-062-0090

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-062-0090

CMA Certification Eligibility

An applicant for CMA certification must submit a completed application. An individual may qualify for CMA certification in one of the following ways:¶¶

(1) Board-Approved Medication Aide Training Program:¶¶

(a) Hold a current unencumbered Oregon CNA certification. An applicant with an encumbered CNA certification will be considered on a case by case basis; and¶¶

(b) Complete a Board-approved medication aide training program; and¶¶

(c) Pass the Board-approved medication aide examination within one year of the date of completion of the medication aide training program.¶¶

(2) Student Nurse:¶¶

(a) Obtain CNA ~~1~~ certification according to these rules; and¶¶

(b) Provide proof of current enrollment and successful completion of one year of a two-year nursing education program, or two years of a four-year nursing education program. Documents accepted as proof of enrollment and coursework completion are listed below and should be sent directly to the Board by the issuing institution:¶¶

(A) An official transcript; or¶¶

(B) Documentation of program enrollment from the director or dean on official school letterhead; and¶¶

(c) Pass the Board-approved medication aide examination within one year of application.¶¶

(3) Graduate of a Medication Aide Training Program in Another State:¶¶

(a) Obtain Oregon CNA ~~1~~ certification; and¶¶

(b) Submit evidence of successful completion of a medication aide training program equal in content to the Board-approved medication aide curriculum; and¶¶

(c) Document at least 832 hours of paid employment performing CNA ~~1~~ authorized duties since completion of nursing assistant training and within the last two years preceding application; and¶¶

(d) Pass the Board-approved medication aide examination within one year of application.¶¶

(4) Military Corpsman or Medic Training and Experience:¶¶

(a) Obtain Oregon CNA ~~1~~ certification according to these rules; and¶¶

(b) Submit a Joint Services transcript with evidence of training that is equal in content to the Board-approved medication aide curriculum; and¶¶

(c) Verify at least 832 hours of paid employment performing CNA ~~1~~ authorized duties in the two years prior to application; and¶¶

(d) Pass the Board-approved medication aide examination within one year of application.¶¶

(5) RN or LPN Licensure:¶¶

(a) Obtain Oregon CNA ~~1~~ certification; and¶¶

(b) If licensed in another U.S. state or jurisdiction, arrange for primary source verification of unencumbered RN or LPN license to be sent directly to the Board by the regulating agency.

Statutory/Other Authority: ORS 678.440, ORS 678.442

Statutes/Other Implemented: ORS 678.442

AMEND: 851-062-0115

RULE SUMMARY: Consolidation Alignment

CHANGES TO RULE:

851-062-0115

CMA Re-entry

An individual whose CMA has been expired for more than two years is required to submit a fully completed application as established by the Board. To qualify for re-entry, an individual must:

- (1) Obtain a current CNA-1; and
- (2) Complete a Board-approved medication aide training program; and
- (3) Pass the Board-approved competency examination within one year of the date of training program completion.

There is no limit on the number of times an individual can take the exam within the one year period.

Statutory/Other Authority: ORS 678.440, ORS 678.442

Statutes/Other Implemented: ORS 678.442