

Nevada State Board of NURSING

September 28, 2015

IMPORTANT UPDATE REGARDING CNA RENEWAL REQUIREMENTS

Dear CNA Employer:

This letter is to inform you of a significant revision to the Qualifications for Certified Nursing Assistant Hours of Employment for Renewal of Certificates Advisory Opinion. As a reminder, CNAs are required to complete 24 hours of continuing education/training and be employed and practice within the CNA scope of practice under the direction of a licensed nurse for a minimum of 40 hours within the previous twenty-four months to be eligible for renewal.

The Board conducts random audits of 10% of all renewal applicant's each month to ensure compliance with the requirements found in the Nevada Nurse Practice Act. If a CNA is selected for audit he/she must submit a document from his/her employer (on letterhead) that clearly identifies that the nursing assistant's title may be other than CNA, and his/her full job description may require other tasks beyond the scope of practice of a CNA. However, the statement must verify that the named CNA has practiced within the CNA scope of practice in a position which requires an active CNA certificate, under the direction of a licensed nurse for a minimum of 40 hours during the previous twenty-four months.

The advisory opinion is enclosed along with a sample verification of employment hours letter. Please share this information with all appropriate personnel within your facility/agency.

If you have any questions, please do not hesitate to contact the Board.

Sincerely,
Nevada State Board of Nursing



Chris Sansom, MSN, RN
Director of Operations

NEVADA STATE BOARD OF NURSING

ADVISORY OPINION

QUALIFICATIONS FOR CERTIFIED NURSING ASSISTANT HOURS OF EMPLOYMENT FOR RENEWAL OF CERTIFICATES

It is the opinion of the Nevada State Board of Nursing that a person who is certified as a nursing assistant in Nevada, is working under a title that includes CNA, and is performing duties identified in the CNA Skills Guidelines is practicing as a CNA.

Certified Nursing Assistant (CNA) practice is regulated by the Board of Nursing. A person who practices as a CNA in the State of Nevada must demonstrate minimal eligibility requirements for renewal of the certificate that are consistent with federal laws governing the nursing assistant registry, including but not limited to:

- Twenty-four hours of continuing education within the CNA scope of practice; and
- Forty hours of employment as a CNA within the scope of practice as defined in the Nurse Practice Act and outlined on the CNA Skills Guidelines.

The Board may consider that a CNA has met the forty hours of employment requirement if documentation is received from the employer verifying the CNA has practiced for forty hours as, and within the scope of practice of, a CNA, but at times also performs other duties under a different title at the same facility.

The Nevada State Board of Nursing has previously opined that CNAs may perform tasks which are beyond those listed in the CNA Skills Guidelines if they complete additional training and have documented competencies, as long as the task is assigned pursuant to NAC 632.222 and NAC 632.224 by a licensed professional nurse. Supervision requires the RN to ascertain that the task:

- Is considered safe and routine for the specific client,
- Poses little potential hazard for the client,
- Can be performed with a predictable outcome,
- Does not require assessment, interpretation or decision-making while being performed,
- Involves a limited degree of potential client discomfort,
- Does not require a substantial amount of scientific knowledge and technical skill, and
- The task does not require a nursing license to perform.

Most importantly, the RN always maintains accountability for the overall provision of nursing practice, being responsible for the ongoing supervision and evaluation of the assigned task following the accepted standard of care which would be provided by a reasonable and prudent nurse.

Rationale:

Nursing assistants are certified by the Nevada State Board of Nursing and perform specific tasks and skills consistent with their training and documented competency. CNA practice is under the regulatory authority and oversight of the Board to ensure public protection and safety.

Unlicensed assistive personnel (ULAPs) do not work under any regulatory oversight or authority. There should be no confusion to the public, to employers, to the nursing assistant or to the supervising licensed nurses regarding what constitutes the legal scope of practice of the CNA.

References:

NRS 632.342 Renewal of certificate
42 CFR Ch.IV Code of Federal Regulations

Approved by the Nevada State Board of Nursing: 3/18/10
Revision approved: July 22, 2015

[FACILITY LETTERHEAD]

Date:

To: Nevada State Board of Nursing

Re: NAME, CNA(number)

The nursing assistant's title may be other than CNA, and his/her full job description may require other tasks beyond the scope of practice of a CNA. However, this statement is to verify that above named CNA has been practicing within the CNA scope of practice in a position which requires an active CNA certificate, under the direction of a licensed nurse for a minimum of 40 hours during the previous 24 months.

Sincerely,

NAME, (credentials)

Title

Telephone number