



## Long-Term Care Regulation Provider Letter

<b>Number:</b> PL 2024-08
<b>Title:</b> Guidance for Nurse Aide Training and Competency Evaluation Programs About Changes to Nurse Aide Rules
<b>Provider Types:</b> Nursing Facilities (NF), Nurse Aide Training and Competency Programs (NATCEPs)
<b>Date Issued:</b> April 1, 2024

Link to [PL 2024-07](#) was updated on 4/15/24.

### 1.0 Subject and Purpose

The purpose of this letter is to provide clarification to Nurse Aide Training and Competency Evaluation Programs (NATCEPs) on recent changes to 26 TAC [Chapter 556](#), Nurse Aides. Specifically:

- HHSC’s newly-developed Computer-Based Training (CBT) will be an option for nurse aide trainees seeking to complete the classroom portion of the training required for the Certified Nurse Aide (CNA) exam;
- NATCEPs will be required to maintain a record of CBT trainees’ course completion certificates;
- NATCEPs can now designate an inpatient hospice as a clinical training site for an additional setting where nurse aide trainees can complete their clinical training; and
- NATCEP director and instructor credentials have been revised for greater consistency with federal guidelines.

### 2.0 Policy Details & Provider Responsibilities

#### 2.1 Computer-Based Training

According to the recent rule changes to 26 TAC Chapter 556,<sup>1</sup> NATCEPs are now required to accept proof of completion of HHSC's CBT as completion of the classroom portion of the nurse aide training for the Certified Nurse Aide exam. A NATCEP that denies admission to a trainee with a valid certificate of CBT completion may be subject to [§556.8](#), Withdrawal of Approval of a NATCEP.

The NATCEP must review the certificate to ensure it has the HHSC seal, official name of training, number of hours taught, date of completion and course code. An example of an HHSC certificate is provided in Attachment 1 of this provider letter. More detailed information on the CBT for trainees is available in [PL 2024-07, Online Training Guidelines for Nurse Aide Trainees](#).

## 2.2 Maintaining Trainee Records

NATCEPs are required to keep the same records of clinical training for trainees that complete the CBT as they do with trainees that complete their classroom hours in person and must maintain a copy of the trainee's CBT completion certificate.<sup>2</sup> NATCEPs that provide only the clinical training to trainees are still required to keep a copy of the trainee's CBT certificate for documentation related to the classroom training.

According to the rule at [§556.3\(v\)](#), a NATCEP must maintain records for each session of classroom training, whether offered in person or through HHSC's CBT, and of clinical training, and must make these records available to HHSC or its designees at any reasonable time.

The classroom and clinical training records must include:

- dates and times of all classroom and clinical training;
- the full name and social security number of each trainee;
- a record of the date and time of each classroom and clinical training session a trainee attends;
- a final course grade that indicates pass or fail for each trainee; and

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<sup>1</sup> 26 TAC [§556.3\(q\)](#).

<sup>2</sup> 26 TAC [§556.3\(y\)\(2\)](#).

- a physical or electronic sign-in record for each classroom and clinical training session. An electronic sign-in must include a form of identity verification for the trainee. If the trainee completes HHSC's CBT, the NATCEP must keep a copy of their completion certificate as the sign-in record.

### **2.3 Ensuring Trainee Competency for Clinical Training**

Before the NATCEP begins providing the 40-hour clinical training to the trainee, it must verify the trainee is competent in the classroom training regardless of whether they received it online or in person. A NATCEP can accomplish this through a variety of methods, including asking the trainee to provide a demonstration of the skills they learned in the CBT. It can be similar to the process a NATCEP uses for in-person classroom training prior to a trainee having direct contact with residents. The NATCEP must use HHSC [Form 5497-NATCEP](#) to document trainees' performance and maintain a copy of it.<sup>3</sup>

Per the rule at [§556.3\(s\)](#), during the clinical portion of the training, NATCEPs must ensure that each trainee:

- completes the first 16 introductory hours of training (Section 1 of [the curriculum](#) before having any direct contact with a resident;
- only performs services for which the trainee has been trained and has been found to be proficient by a program instructor;
- is under the general supervision of a licensed nurse when providing services to a resident after a trainee has been found competent by the program instructor; and
- is clearly identified as a trainee during the clinical training.

### **2.4 Registration for CNA Exam**

Once the trainee successfully completes the clinical training, NATCEPs are required to assist the trainee to register for the exam through Prometric.<sup>4</sup> NATCEP directors may interact with Prometric via the [Nurse Aide Training Program Portal](#) to approve candidates for testing purchase and assign vouchers and access program reports.

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<sup>3</sup> 26 TAC [§556.3\(x\)](#).

<sup>4</sup> For more information, please read Prometric's [Training Program Resources](#).



## 2.5 Use of Inpatient Hospices as Clinical Training Sites

With the changes to Chapter 556, NATCEPs can now use a hospice inpatient unit licensed under [Texas Health and Safety Code Chapter 142](#) as a clinical site for nurse aide trainees.<sup>5</sup> A NATCEP using a hospice inpatient unit as a clinical site may provide clinical training only in those services authorized to be provided to clients under Texas Health and Safety Code, Chapter 142.

## 2.6 Revised Credentialing Requirements for NATCEP Staff

The changes to [§556.5](#) revise the credentials required for NATCEP directors and NATCEP instructors to align more closely with federal requirements in the Code of Federal Regulations (CFR) at 42 CFR [§483.152](#). The CFR does not differentiate between the credentials required by the NATCEP program director and those of the program instructor. Instead, it states that the training of nurse aides must be performed under the general supervision of a registered nurse with at least two years of nursing experience, at least one of which must be in providing long-term care facility services.<sup>6</sup> For this reason, the amended rules allow either a NATCEP director or instructor, or both, to meet the credentialing requirements. This change will afford NATCEPs more flexibility to meet staffing requirements.

A program director must:

- be an RN in the state of Texas;
- have a minimum of two years of nursing experience; and
- have completed a course focused on teaching adult students or have experience in teaching adult students or supervising nurse aides.<sup>7</sup>

A program instructor must:

- be a licensed vocational nurse (LVN) or an RN in the state of Texas;
- have a minimum of two years of nursing experience; and

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<sup>5</sup> 26 TAC [§556.3\(s\)](#).

<sup>6</sup> 42 CFR [§483.152\(a\)\(5\)\(i\)](#).

<sup>7</sup> 26 TAC [§556.5\(b\)](#).

- have completed a course focused on teaching adult students or have experience in teaching adult students or supervising nurse aides.<sup>8</sup>

Either the program director or a program instructor must have at least one year of experience providing long-term care services in a nursing facility.

If an instructor is an LVN, a NATCEP must have:

- a director with at least one year of providing long-term care services in a nursing facility; or
- an instructor who is an RN with at least one year of providing long-term care services in a nursing facility.<sup>9</sup>

### 3.0 Background/History

The rule amendments implement an internal initiative to:

- provide prospective nurse aide trainees with an option to train online, at their own convenience and pace, free of charge, using a curriculum designed in accordance with standards developed by the US Centers for Medicare and Medicaid Services; and
- revise credentialing requirements for NATCEP directors and instructors to provide them more flexibility to meet federal requirements.

### 4.0 Resources

[Form 5497-NATCEP](#)

[Prometric Nurse Aide Training Program Portal](#)

[Prometric Training Program Resources](#)

Attachment 1: Example CBT Certificate of Completion

### 5.0 Contact Information

For assistance with understanding online guidelines or nurse aide rules regarding the CBT, email [Regulatory\\_NATCEP@hhs.texas.gov](mailto:Regulatory_NATCEP@hhs.texas.gov). If you have

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<sup>8</sup> 26 TAC [§556.5\(c\)](#).

<sup>9</sup> 26 TAC [§556.5\(d\)](#).

any questions about this letter, please contact the Policy and Rules unit by email at [LTCRPolicy@hhs.texas.gov](mailto:LTCRPolicy@hhs.texas.gov) or call (512) 438-3161.



TEXAS  
Health and Human  
Services

# Long-term Care Regulation

## Certificate of Completion

**This certificate is awarded to**

LTCR CNA Test

**For completion of**

LTCR - Nurse Aide Training and  
Competency Evaluation Program (NATCEP)

CNA0900  
Course Number

04/17/2024  
Date

0  
Credit Hours