Division 61

Standards for Training Programs for Nursing Assistants and Medication Aides

851-061-0010
Purpose of Standards
To foster the safe and effective performance of duties by graduates of nursing assistant and medication aide training 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 training programs.
(2) Create minimum standards and provide general parameters for Board-approved curriculum of established nursing assistant and medication aide training programs.
(3) Allow flexibility in the manner of teaching the required curriculum when not in conflict with the parameters of Board-approved curriculum.

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.440 & 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 1-2004, f. 1-29-04, cert. ef. 2-12-04

851-061-0020
Definitions
As used in these rules:
(1) “Assisted Living Facility” means a facility that is licensed by the State of Oregon and as defined by the Oregon Department of Human Services.
(2) "Board-approved Curriculum" means content required in nursing assistant and medication aide training programs established by Board policy.
(3) “Certified Medication Aide (CMA)" means a Certified Nursing Assistant who has had additional training in administration of noninjectable medication and holds a current unencumbered Oregon CMA certificate.
(4) "Certified Nursing Assistant (CNA)" means a person who holds a current Oregon CNA certificate by meeting the requirements specified in these rules; whose name is listed on the CNA Registry; and who assists licensed nursing personnel in the provision of nursing care. The phrase Certified Nursing Assistant and the acronym CNA are generic and may refer to CNA 1, CNA 2 or all CNAs.
(5) "Certified Nursing Assistant 1 (CNA 1)" means a person who holds a current Oregon CNA certificate and who assists licensed nursing personnel in the provision of nursing care.
(6) "Certified Nursing Assistant 2 (CNA 2)" means a CNA 1 who has met requirements specified in these rules for one or more of the CNA 2 categories.
(7) "Client" means the individual who is provided care by the CNA or CMA including a person who may be referred to as "patient" or "resident" in some settings.

(8) "Clinical Instructor" means a registered nurse whose role is education of students in the skills laboratory or clinical site and who may participate in classroom teaching under the direction of the program director or primary instructor.
(9) "Clinical Preceptor" means a licensed nurse who provides direct clinical supervision of students during their clinical experience under the direction of the program director or a primary instructor.
(10) "Clinical Site" is a location or situation in which hands on experience with actual clients is obtained.
(11) "CNA Registry" means the listing of Oregon Certified Nursing Assistants maintained by the Board.
(12) "Competency evaluation" means the Board approved process for determining competency.
(13) "Criminal History Check" means the Oregon Criminal History Check and when required, a National Criminal History Check and/or a State-Specific Criminal History Check, and processes and procedures equivalent to the Department of Human Services (DHS) rules.
(14) "Direct supervision" means that the registered nurse, clinical nurse specialist, or nurse practitioner is physically present and accessible in the immediate client care area and is available to intervene if necessary.
(15) "Facility-Based Program" means an approved nursing assistant or medication aide training program in a licensed nursing facility.
(16) "Full-time" means at least 32 hours of regularly scheduled work each week.
(17) "Independent Training Program" means an approved nursing assistant or medication aide training program that is not a facility-based program.
(18) “Instructor-directed” means an on-line training that is managed, directed, and facilitated through interaction between learners and identified instructor(s). Learning activities may occur through either synchronous or asynchronous interaction between instructor and students and among students.
(19) "Level 1 training" is the minimum training required to prepare a graduate to take the state certification examination for CNA 1.
(20) "Level 2 training" is training available to a CNA 1 to prepare them for a role in one or more of the Board approved category areas.
(21) "Licensed Nursing Facility" means a licensed nursing home or a Medicare or Medicaid certified long term care facility.
(22) "Nursing Assistant" means a person who assists licensed nursing personnel in the provision of nursing care. ORS 678.440(4)
(23) “On-line program” means an interactive computer based training program that provides at least the equivalent of the Board required classroom, laboratory, and clinical hours under the supervision of a Board approved instructor/preceptor.
(24) “On-line program provider” means a provider that has a proven track record of successfully providing professional development, training and educational programs in both classroom and on-line environments in Oregon, either directly or in partnership, in the previous 24 months of application, and meets all Board requirements.
(25) "Program" means a training program that prepares graduates for certification as a nursing assistant level 1, level 2, or medication aide. The terms "nursing assistant program, or "medication aide program" as used in these rules, are synonymous with "Program."
(26) "Representative of the Board" means the Nursing Assistant Program Consultant or Board designee qualified to perform the necessary responsibilities.
(27) “Residential Care Facility” means a facility that is licensed by the State of Oregon and as defined by the Oregon Department of Human Services.
(28) “Self-directed” means an on-line program in which course materials, learning activities, communications, and assessment activities are delivered and completed electronically. Learners engage in and complete activities at their own pace.

(29) "Self-Evaluation" means a review of a basic nursing assistant or medication aide training program conducted by the program director using forms provided by the Board and submitted to the Board.
(30) "Site Visit" means that representative(s) of the Board go to the location of a program for specified purpose(s) which may include a survey for approval.
(31) "Standards for Approval" means authoritative statements which set expectations for a program to achieve and maintain approval status. (OAR 851-061-0080 through 0130).
(32) "Survey Visit" means that representative(s) of the Board go to the location of a program to review the program for compliance with Standards for Approval, and to prepare a report and recommendation regarding approval status.
(33) "Waiver of Prohibition" authorizes a program to be taught in but not by a facility that has had its approval denied or withdrawn pursuant to OAR 851-061-0050(2).

Stat. Auth.: ORS 678.440, 678.442 & 678.444
Stats. Implemented: ORS 678.440, 678.442 & 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 1-2004, f. 1-29-04, cert. ef. 2-12-04; BN 11-2004, f. & cert. ef. 7-13-04; BN 2-2008, f. & cert. ef. 2-25-08; BN 2-2011, f. & cert. ef. 7-11-11

851-061-0030
Process for Program Approval

(1) Any person, partnership, association, corporation, or limited liability company desiring to offer training other than just nursing assistant or medication aide training to non-employed students will need to be licensed through the Oregon Department of Education in addition to meeting the Board's standards as described in these rules.
(2) Any person, partnership, association, corporation, or limited liability company desiring to offer only nursing assistant or medication aide training without being licensed through the Oregon Department of Education shall apply for an exemption of licensure from the Department of Education.
(3) All nursing assistant or medication aide training programs shall be Board-approved prior to being offered. Retroactive approval shall not be granted.
(4) Application for Initial Approval of level 1, level 2, and medication aide training programs. A facility, agency, on-line program provider, or individual wishing to establish a new nursing assistant or medication aide training program shall make application to the Board at least 45 days in advance of expected start date. The application for initial approval of a training program shall include:
    (a) A completed form provided by the Board;
    (b) Appropriate fees;
    (c) Faculty names and qualifications;
    (d) Names of 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 and clinical hours; and
        (C) Teaching methodology.
    (h) Evaluation method:
        (A) Laboratory and clinical skills checklist approved by the Board;
        (B) Final exam; and

(C) In addition, for level 2 training programs, a Board approved competency evaluation.

(i) Enrollment agreement and disclosure statement that includes:

(A) Beginning and ending dates of the training;

(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 training 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 training, all tuition and fees paid to the program specific to the enrollment agreement, will be refunded, less a cancellation fee that cannot exceed 10 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.

(j) Tentative time schedule for initiating the program; and

(k) Plan for what job placement assistance will consist of from the training program.

(5) A site visit may be conducted by a representative(s) of the Board;

(6) 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.

(7) An approved nursing assistant level 1 or medication aide training program:

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

(b) Shall 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) Shall submit an interim self evaluation during the intervening year or as requested by the Board on forms provided by the Board.

(e) Shall have records available for review.

(f) Shall have adequate financial support for the stability and continuation of the program.

(8) An on-line provider shall have a proven track record of successfully providing professional development, training and educational programs in both classroom and on-line environments in Oregon, either directly or in partnership, in the previous 24 months, and meet all Board requirements prior to being approved.

(9) Following initial approval, level 2 training programs remain approved unless specifically withdrawn by the Board.

(10) Program changes requiring Board approval:

(a) Change of program ownership:

(A) If the change only causes minor changes, there is no need to seek new approval of the program.

(B) If the change causes a substantial difference as determined by the Board through the impact on the students, faculty, or program resources, an application and approval for the program shall be required.

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

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 5-2002, f. & cert. ef. 3-5-02; BN 1-2004, f. 1-29-04, cert. ef. 2-12-04; BN 7-2006, f. & cert. ef. 5-8-06; BN 2-2008, f. & cert. ef. 2-25-08; BN 2-2011, f. & cert. ef. 7-11-11

851-061-0040
Inactive Status or Closure of a Program

(1) Voluntary Inactive Status. A training program may be granted temporary inactive status for up to two years:

(a) The program director shall notify the Board in writing of the intended inactive date and the plan for allowing the currently enrolled students to complete the program.

(b) The program shall be continued until the committed class schedule of currently enrolled students is completed.

(2) Involuntary Inactive Status. A training program shall be placed on temporary inactive status for up to one year for the following reasons:

(a) To allow an opportunity for the program to take corrective action; or

(b) After a period of 12 months during which no classes were taught.

(3) Process to reinstate active status: A training program may be reinstated subsequent to voluntary or involuntary inactive status by submitting satisfactory evidence that the program meets Board standards.

(4) Voluntary Closing. When a facility, institution or individual considers closing a nursing assistant training program, the program director shall:

(a) Notify the Board in writing of the intended closing date and the plan for allowing the currently enrolled students to complete the program.

(b) Continue the program until the committed class schedule of currently enrolled students is completed.

(c) Provide for the custody of the records:

(A) If the nursing assistant or medication aide training program closes but the educational institution or licensed health care agency continues to function, the institution shall assume responsibility for the records of the students and the graduates. The Board of Nursing shall be advised of the arrangements made to safeguard the records.

(B) If the facility-based or independent training program ceases to exist, the Board of Nursing shall be consulted about the maintenance of student records.

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.440 & 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 1-2004, f. 1-29-04, cert. ef. 2-12-04; BN 2-2011, f. & cert. ef. 7-11-11

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 1, level 2, or medication aide training programs are not being met:
  (a) Notice of the deficiency(ies) shall 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) shall 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 shall deny approval to a nursing assistant training program and shall withdraw approval from a previously approved nursing assistant training program offered by or in a licensed nursing facility or a skilled nursing facility which, in the previous two years:
  (a) Has operated under a waiver of the federal requirement for nursing facilities and skilled nursing facilities to have 24 hour a day licensed nurse staffing with eight hour a day registered nurse staffing when such waiver is in excess of 48 hours per week; or
  (b) Has been determined by surveyors from the state Seniors and People with Disabilities Division or federal Center for Medicare and Medicaid Services to have conditions which pose an immediate threat to resident health and safety; or
  (c) Has been subject to an extended or partial extended survey, a restriction of admissions or an impending restriction of admissions for provision of substandard quality of care; or
  (d) Was subject to a denial of payment under federal law; or
  (e) Has had its Medicare participation terminated under federal or state law; or
  (f) Was assessed a civil penalty of $5,000 or more, for deficiencies in nursing facility standards, except if waived pursuant to 42 CFR ¦ 483.151; or
  (g) Has operated under trusteeship appointed to oversee the operation of the nursing facility and to ensure the health and safety of its residents; or
  (h) As a result of state action terminated the operation of the facility or was closed or has had its residents transferred.

(3) A program or facility that has had its approval denied or withdrawn pursuant to OAR 851-061-0050(2) may apply for waiver of prohibition if:
  (a) The facility has received written notice from Seniors and People with Disabilities Division's Client Care Monitoring Unit that it is in compliance with regulations governing licensure and/or certification; and
  (b) There is not another program within ten road-miles from the facility submitting the request.

(4) The letter of request for waiver of prohibition shall:
  (a) Address the distance in road-miles from the sanctioned facility to the closest program or facility that is willing and eligible for approval to serve as a clinical site for the training program; and

(b) Include a written statement of compliance with the standards for licensure and certification.

(5) The Board shall grant or deny the waiver based upon information received from applicant and Seniors and People with Disabilities Division's Client Care Monitoring Unit.

(6) The Board may withdraw program approval of a nursing assistant level 1 or medication aide training program if:

(a) The program cannot provide satisfactory evidence that the standards for nursing assistant or medication aide training programs are consistently maintained; or

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

(c) The average pass rate for graduates of the program falls below 85% over a two year period; or

(d) The clinical facility fails to permit a site visit of the training program.

(7) The Board may withdraw program approval of a nursing assistant level 2 training program if:

(a) Standards for program approval are not met 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; and

(b) A site visit is not permitted or records are not available for review.

(8) When program approval is withdrawn, the program shall:

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

(b) Allow students who have started a training program from which approval has been withdrawn 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.

(9) The Board may reinstate approval of the nursing assistant or medication aide training program upon submission of satisfactory evidence that the program meets the Board standards.

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 1-2004, f. 1-29-04, cert. ef. 2-12-04; BN 6-2008, f. & cert. ef. 6-24-08; BN 2-2011, f. & cert. ef. 7-11-11

851-061-0060
Consultation and Technical Assistance by a Representative of the Board

(1) A program may request consultation or technical assistance from Board staff in meeting standards for nursing assistant or medication aide training programs.

(2) Requests for site visit shall be in writing and include the purpose(s) for the visit.

Stat. Auth.: ORS 678.440 & ORS 678.444
Stats. Implemented: ORS 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99

851-061-0070
Reports

(1) When ownership of a nursing assistant or medication aide training program changes, a report must be submitted to the Board containing the following information:

(a) Anticipated effects on students, faculty and resources; and

(b) Plans for the orderly transition of the program.

(2) Program data to be sent to Board:

(a) Nursing assistant level 1 and medication aide training programs shall register with the Board:
  (A) By the end of the second class day, the students':
    (i) Names;
    (ii) Dates of birth;
    (iii) Board approved unique identifier; and
    (iv) Current addresses.
  (B) Within two weeks of completion of a class, the students':
    (i) Names;
    (ii) Dates of birth;
    (iii) Board approved unique identifier;
    (iv) Current addresses; and
    (v) Dates of program completion.
(b) Nursing assistant level 2 training programs shall submit to the Board, within two weeks of completion of a class, verification of competency evaluation by the Board approved format.

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.440 & 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 1-2004, f. 1-29-04, cert. ef. 2-12-04; BN 6-2008, f. & cert. ef. 6-24-08

851-061-0075
Standards for Approval: Organization and Administration

(1) Training program policies and procedures shall be in written form and shall be reviewed at least once every two years.
(2) Training programs implementing program changes cannot require students who are currently enrolled to complete the requirements of a revised program. Enrolled students are to be taught out under the program identified in their most current signed enrollment agreement. Exceptions may be allowed when and if the school and student mutually agree to the program change(s) and a new or amended enrollment agreement is negotiated, accepted, and signed by the student and school. Examples of program changes as used in this rule include, but are not limited to, increase or decrease of hours required, changes in the schedule of hours of instruction, adding or dropping course requirements, increasing program costs or fees, or changes in the payment plan.
(3) Training program shall be financially viable for the stability and continuation of the program.
  (a) Training program providers in assisted living, licensed nursing, and residential care facilities licensed by the Department of Human Services or the Health Authority and training programs licensed by the Department of Education are exempt from demonstrating financial viability to the Board.
  (b) Training program providers not identified in OAR 851-061-0075(3)(a), will provide financial statements to demonstrate:
    (A) Assets equal to or greater than liabilities;
    (B) No operating loss in any year of more than 10% of their net worth; and
    (C) No operating loss of any amount for two consecutive years.
  (c) A training program that is unable to verify financial viability may be required to carry a bond, get a letter of credit, or escrow unearned tuition.
(4) All training program advertising, sales, collection, credit or other business practices are conducted in a manner that does not violate ORS 646.608.

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.440 & 678.444
Hist.: BN 2-2011, f. & cert. ef. 7-11-11

851-061-0080
Standards for Program Approval: Faculty Qualifications and Responsibilities

(1) The training of nursing assistants level 1 shall be by or under the supervision of a program director or primary instructor who has at least one year of nursing experience in a licensed nursing facility.

(2) The program director shall hold a current, unencumbered license to practice as a registered nurse in Oregon; and
- (a) For a nursing assistant level 1 and level 2 training program, have at least three years of nursing experience, including at least one year of working in direct patient care; and one of the following:
  - (A) One year of experience on a nursing faculty;
  - (B) One year of experience in staff development;
  - (C) Evidence of academic preparation for teaching adults; or
  - (D) Evidence of equivalent experience.
- (b) For a medication aide training program, have at least three years of experience as a Registered Nurse, including at least one year as a nurse educator or nurse administrator.

(3) The program director shall:
- (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;
- (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 instructors or preceptors;
- (f) Develop and implement written policies necessary for the operation of the program, including those maintained under OAR 851-061-0110(1)(c)(G);
- (g) Ensure that all students have initiated a criminal history check prior to entering the program and that all students are eligible pursuant to laws governing the clinical site facility to participate in the program's clinical experiences.
- (h) Coordinate classroom and clinical sites and activities;
- (i) Ensure that the classroom, lab, and clinical environment is conducive to teaching and learning;
- (j) Assure that the clinical setting provides an opportunity for the students to perform the skills taught in the curriculum;
- (k) Ensure that a Board-approved primary instructor, clinical instructor, or clinical preceptor is on the premises at all times during scheduled clinical hours;
- (l) Supervise or coordinate supervision of students in the clinical setting or assign this responsibility to the primary instructor.
- (m) Provide or arrange for the orientation of the primary and clinical instructors or clinical preceptors to their role and responsibilities.
- (n) Assess students' reactions to course content, instructional effectiveness, and other aspects of the learning experience;

(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 training 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 visit(s) by Board staff.
(s) For medication aide training programs, determine student eligibility by verifying that the applicant:
(A) Holds a current certificate to practice as a CNA 1 on the CNA Registry;
(B) Has graduated from an approved basic nurse aide training program at least six months prior to enrollment in the medication aide training 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 training program unless the applicant is exempt under OAR 851-062-0090.

(4) The primary instructor shall hold a current, unencumbered license to practice as a registered nurse in Oregon; and
(a) For a nursing assistant level 1 and level 2 training program, have two years experience as a registered nurse and teaching experience or educational preparation for teaching adults.
(b) For a medication aide training program, have at least three years of nursing experience, to include:
(A) One year as a nurse educator, a primary instructor in a nursing assistant training program or as a nurse administrator, and
(B) One year working with the particular type of clientele or providing clinical instruction in a setting with the particular type of clientele with whom students will have their clinical experience.
(c) May be the director of nursing service in a long term care facility only if there is evidence of formal arrangements for the director of nursing position to be filled by another qualified nurse during the period of instruction.

(5) The primary instructor shall:
(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) In addition, for medication aide training programs, the primary instructor shall:
(A) Obtain approval from a facility prior to using a facility employee as a clinical preceptor. 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 preceptors may be used as appropriate.

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

(a) For a nursing assistant level 1 and level 2 training program, the program director or primary instructor may:

(A) Involve as trainers for a specific portion of the nursing assistant training, 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 instructor who shall:

(i) Hold a current, unencumbered license to practice as a registered nurse in Oregon; and

(ii) Have the equivalent of one year full time experience as a registered nurse.

(C) Use an approved clinical preceptor who shall:

(i) Hold a current, unencumbered license to practice nursing in Oregon; and

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

(b) For a medication aide training program, the clinical preceptor shall:

(A) Hold a current, unencumbered license to practice nursing in Oregon;

(B) Have the equivalent of one year full time experience as a licensed nurse and shall have three 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; and

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

(c) Certified medication aides, resident care managers, and directors of nursing are prohibited from acting as clinical preceptors for medication aide students.

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.440 & 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 18-2002, f. & cert. ef. 10-18-02; BN 1-2004, f. 1-29-04, cert. ef. 2-12-04; BN 11-2004, f. & cert. ef. 7-13-04; BN 7-2006, f. & cert. ef. 5-8-06; BN 2-2008, f. & cert. ef. 2-25-08; BN 2-2011, f. & cert. ef. 7-11-11

851-061-0090
Standards for Program Approval: Curriculum

(1) Board-approved curriculum shall be used in approved nursing assistant level 1 and medication aide training programs.

(2) A nursing assistant level 1 training program shall consist of:

(a) At least 150 hours of instruction divided into 75 hours of classroom instruction and 75 hours of supervised clinical experience;

(b) At least 24 hours of supervised classroom/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 75 hours of supervised clinical experience in a hospital, licensed nursing, residential care, or assisted living facility that has a registered nurse 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.

(3) An on-line nursing assistant level 1 training program shall consist of:

(a) At least the equivalent of 51 hours according to the nationally recognized standard of content to credit ratio;

(b) At least 24 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 shall 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 75 hours of supervised clinical experience in a hospital, licensed nursing, residential care, or assisted living facility that has a registered nurse 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;

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

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

(4) A nursing assistant level 2 training program will have Board approved:

(a) Standardized category curriculum that may vary in training hours from other Board approved standardized category curricula; and

(b) Competency evaluation.

(5) Medication aide training program classroom and clinical instruction hours:

(a) A medication aide training program shall consist of at least 84 hours of instruction divided into at least 60 hours of classroom/lab instruction and at least 24 hours of 1:1 supervised clinical experience.

(b) All clinical hours shall be completed at one site (licensed nursing facility, hospital, assisted living facility, or residential care facility).

(c) All required clinical hours shall be in medication administration related activities.

(6) Admission requirements for medication aide training programs shall be:

(a) Current, unencumbered CNA 1 status on the Oregon CNA Registry maintained by the Board;

(b) Documentation of graduation from an approved basic nursing assistant level 1 training program at least six months prior to enrollment in the medication aide training 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 training program.

(7) An on-line nursing assistant level 2 or medication aide training program shall consist of:

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

(b) Supervised laboratory instruction that meets the Board's approved curriculum provided no later than two weeks after the successful completion of the on-line portion of the curriculum. The laboratory portion of the program shall include return student demonstration of learned skills to determine comprehension and competency, in addition to facility orientation, preceding the students' care of clients;

(c) Supervised clinical experience in a hospital, licensed nursing, residential care, or assisted living facility that has a registered nurse 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;

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

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

(8) Classroom and clinical faculty/student ratios for nursing assistant level 1, level 2, and medication aide training programs:

(a) Classroom:

(A) The ratio of students per instructor in the classroom shall be such that each trainee is provided with registered nurse assistance and supervision and be no more than 30 students per instructor for nursing assistant level 1 training programs, 20 students per instructor for medication aide training programs, and 32 students per instructor for CNA level 2 training programs.

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

(C) The ratio of students per instructor with instructor-directed, on-line instruction shall be such that each trainee is provided with consultation and additional clarification by a Board approved instructor within 72 hours of a trainee's inquiry, and the class size shall be no more than 20 students per instructor per on-line classroom.

(b) Lab: The ratio of students per instructor in nursing assistant level 1, level 2, and medication aide training programs shall be no more than 10 students per instructor at all times during the lab experience.

(c) Clinical:

(A) The ratio of students per instructor in a nursing assistant level 1 training program shall be no more than 10 students per instructor at all times during the clinical experience.

(B) The ratio of students per instructor in a nursing assistant level 2 training program shall be no more than 8 students per instructor at all times during the clinical experience.

(C) The ratio of students per instructor in a medication aide training program shall begin with a ratio of one clinical preceptor to one medication aide student during the first 24 hours of the clinical experience. Less intensive supervision (either more students per preceptor or less direct supervision by preceptor) may occur after the first 24 hours, with satisfactory evaluation and approval of the clinical preceptor and primary instructor.

(9) Clinical experience and demonstration of competency for nursing assistant level 1 and medication aide training programs:

(a) A clinical schedule shall be prepared for all students prior to the beginning of the clinical experience, and provided to the clinical facility director of nursing, the clinical instructor/preceptor, and the student.

(b) Student practice and demonstration of competency for nursing assistant level 1 and medication aide training programs:

(A) Students may provide direct client care within their authorized duties under the supervision of an approved instructor.

(B) Students shall 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 instructor.
(E) Students shall not be on a unit, floor, or wing without a CNA or licensed nurse.
(F) Students shall provide care only to the level they have been taught and determined competent by the approved clinical instructor.

(c) In addition, for medication aide training programs, the clinical experience shall be progressive with the Board approved clinical preceptor observing the medication administration and gradually increasing the number of clients to whom the student is administering medications;

(10) Program completion:

(a) Completion of a nursing assistant level 1 or medication aide training means that:
(A) The student has successfully completed 100% of the required classroom and clinical hours and content in the curriculum;
(B) The student has successfully demonstrated the required skills on the laboratory and clinical skills checklist;
(C) The student has achieved a score of 75% or higher on the program's final examination;
(D) 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
(E) In addition, for nursing assistant level 1 training programs, the student has successfully completed current, adult CPR certification in accordance with Board-approved curriculum.

(b) Completion of a nursing assistant level 2 training 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 evaluation.

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 15-2002, f. & cert. ef. 7-17-02; BN 1-2004, f. 1-29-04, cert. ef. 2-12-04; BN 11-2004, f. & cert. ef. 7-13-04; BN 12-2005, f. & cert. ef. 12-21-05; BN 7-2006, f. & cert. ef. 5-8-06; BN 2-2008, f. & cert. ef. 2-25-08; BN 1-2009, f. & cert. ef. 5-15-09; BN 10-2009, f. & cert. ef. 12-17-09; BN 2-2011, f. & cert. ef. 7-11-11

851-061-0100
Standards for Program Approval: Responsibility to Students

The nursing assistant level 1 and medication aide training 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 an 85% pass rate for first-time candidates taking the Board-approved competency examination.

(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 training will be charged for any portion of the program, including any fees for textbooks or other required course materials in accordance with 42 CFR ¦ 483.152(c)(1).

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

(3) Issuing a certificate of completion or making an appropriate notation on a transcript for a graduate who has successfully completed the training. The certificate is to be printed on one side of a *standard letter-sized piece of paper and is to include:*
- (a) Name of individual;
- (b) Board approved unique identifier;
- (c) Date of birth;
- (d) Name of training program;
- (e) Number of classroom hours;
- (f) Number of clinical hours;
- (g) Date the training program was most recently approved by the Board;
- (h) Signature of the program director or primary instructor; and
- (i) Date of completion.

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 1-2004, f. 1-29-04, cert. ef. 2-12-04; BN 7-2006, f. & cert. ef. 5-8-06; BN 6-2008, f. & cert. ef. 6-24-08

851-061-0110
Standards for Program Approval: Records

(1) Nursing assistant level 1, level 2, and medication aide training program records shall:
- (a) Be maintained for a period of seven years;
- (b) Be maintained in a secure and dry manner;
- (c) 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.
- (d) 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 training program);
  - (H) Proof of the criminal history check;
  - (I) Date of completion; and
  - (J) Record of student completion:

(i) Facility-based and independent programs shall maintain a copy of the student certificate of completion;
(ii) Community College and High School programs may meet this standard by appropriate notation on student transcript.
(K) Date the student was employed (if applicable).

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 1-2004, f. 1-29-04, cert. ef. 2-12-04; BN 11-2004, f. & cert. ef. 7-13-04; BN 2-2011, f. & cert. ef. 7-11-11

851-061-0120
Standards for Approval: Facilities and Services

(1) Facilities used for training shall be in compliance with all applicable federal and state standards.
(2) For programs other than on-line programs, the training classroom shall be large enough to meet the students' and instructor's basic needs and shall have:
(a) Temperature controlled environment;
(b) Adequate ventilation;
(c) A clean, quiet, and undisturbed environment;
(d) Conditions that are safe and conducive to learning;
(e) Functional and adequate lighting; and
(f) Seating and note-taking surfaces for each student.
(3) Laboratory facilities shall have materials, equipment, and supplies needed for student practice of all required skills and be available for the students' and instructor's use during instructional hours throughout the training period.
(4) Resources shall include:
(a) Needed A-V equipment or modules; and
(b) Access to library resources.

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.444
Hist.: BN 6-1999, f. & cert. ef. 7-8-99; BN 2-2008, f. & cert. ef. 2-25-08

851-061-0130
Interstate Programs

(1) Out-of-State Programs who seek to send student(s) for clinical experience in Oregon shall meet the requirements established in OAR 851-061-0090(8)(c) and 851-061-0090(9)(b).
(2) Programs with faculty and facilities located in Oregon and approved by another state shall be required to obtain approval as a program in Oregon.

Stat. Auth.: ORS 678.440 & 678.444
Stats. Implemented: ORS 678.444
Hist.: BN 1-2004, f. 1-29-04, cert. ef. 2-12-04; BN 2-2011, f. & cert. ef. 7-11-11

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