

From: Sen.Harsdorf <Sen.Harsdorf@legis.wisconsin.gov>

Date: June 8, 2017 at 10:55:57 AM CDT

To: *Legislative All Assembly <ALLASM@legis.wisconsin.gov>, *Legislative All Senate <ALLSEN@legis.wisconsin.gov>

Subject: Co-Sponsor LRB 3719 - Deadline June 16th

Date: June 8, 2017

To: Legislative Colleagues

From: Senators Sheila Harsdorf and Rob Cowles
Representatives Warren Petryk and Kathy Bernier

Re: Co-sponsorship of LRB 3719, CNA training requirement **to mirror federal standard.**

DEADLINE: **June 16, 2017**

Certified Nursing Assistants (CNAs) or Nurse Aides, provide necessary services to our elderly and disabled members within our communities. However, due to a variety of factors it is difficult to train and recruit these important workers for Wisconsin's long-term care facilities.

A recent [survey](#) of long-term care facilities in Wisconsin found that 1 in 7 caregiving positions remains unfilled. We are concerned that Wisconsin's statutes are making it more difficult to train and recruit qualified CNAs.

Federal law has a requirement of 75 hours of instructional training with 16 hours of clinical training to be certified as a CNA. However, since 2008, Wisconsin has required 120 hours of classroom instruction and 32 hours of clinical training. Current Wisconsin Statutes are placing facilities at a significant disadvantage. Michigan, Minnesota and Iowa all **mirror the federal standard** of 75 hours.

CNAs provide an important level of care in our healthcare system. Both nursing homes and home care agencies rely on the indispensable care that CNAs provide. LRB 3719 will further increase access to these valuable professionals by providing an opportunity for CNAs to be employed in Wisconsin more readily.

Organizations **supporting CNA training reform** include: The **Wisconsin Director of Nursing Council, Wisconsin Health Care Association, LeadingAge Wisconsin, Wisconsin Center for Assisted Living, Wisconsin Assisted Living Association.**

If you would like to co-sponsor LRB 3719, please respond to this e-mail or contact Sen. Harsdorf (266-7745), Sen. Cowles (266-0484), Representative Bernier (266-9172), or Representative Petryk (266-0660) by **June 16, 2017.**

Analysis by the Legislative Reference Bureau

This bill conforms state law for instructional programs for nurse aides to the federal law requirements for Medicare and Medicaid. Specifically, the bill prohibits the Department of Health Services from requiring an instructional program to exceed the federal required minimum total training hours or minimum hours of supervised practical training, which is clinical experience, specified in the federal regulation. The current federal regulation requires no less than 75 hours of training with at least 16 of those hours being supervised practical training.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3719/1
TJD:kjf

2017 BILL

1 **AN ACT** *to amend* 146.40 (3) of the statutes; **relating to:** hours of instructional
2 program for nurse aids.

Analysis by the Legislative Reference Bureau

This bill conforms state law for instructional programs for nurse aides to the federal law requirements for Medicare and Medicaid. Specifically, the bill prohibits the Department of Health Services from requiring an instructional program to exceed the federal required minimum total training hours or minimum hours of supervised practical training, which is clinical experience, specified in the federal regulation. The current federal regulation requires no less than 75 hours of training with at least 16 of those hours being supervised practical training.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 146.40 (3) of the statutes is amended to read:
4 146.40 (3) Except as provided in sub. (4d), the department shall approve
5 instructional programs for nurse aides that apply for, and satisfy standards for,
6 approval that are promulgated by rule by the department. The department may not
7 require an instructional program to exceed the federal required minimum total

BILL**SECTION 1**

1 training hours or minimum hours of supervised practical training under 42 CFR
2 483.152 (a). The department shall review the curriculum of each approved
3 instructional program at least once every 24 months following the date of approval
4 to determine whether the program continues to satisfy the standards for approval.
5 Under this subsection, the department may, after providing notice, suspend or
6 revoke the approval of an instructional program or impose a plan of correction on the
7 program if the program fails to satisfy the standards for approval or operates under
8 conditions that are other than those contained in the application approved by the
9 department.

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(END)