

TO: All Long-Term Care Facilities

FROM: Protective Health Services – Nurse Aide Registry

DATE: December 14, 2021

RE: Nurse Aide Waiver

Dear Administrator:

Pursuant to the Nursing Home Care Act, the Commissioner of Health is authorized to waive any provision of the act and any rules promulgated pursuant to it, provided the waiver will not cause the State of Oklahoma to fall out of compliance with any applicable requirements of the Centers for Medicare and Medicaid Services (CMS). CMS has waived the prohibition against nursing homes using any individual as a nurse aide for more than four months unless they complete certain testing requirements.

In order for Oklahoma long-term care facilities to have sufficient trained staff for the care of their residents, the Commissioner of Health temporarily waives the prohibition against a Long-Term Care facility using any individual working in the facility as a nurse aide for more than four months unless they complete oral and or written competency and skills examinations. This waiver will expire upon the Commissioner determining that there is no need to continue the waiver or when CMS terminates the federal waiver.

Please note that aide competency evaluation candidates are encouraged to sit for the written/oral examination and skills examination as soon as possible. This waiver does not exempt the minimum 75 hours of training, but does allow consideration of time worked by the nurse aide to count towards the 75-hour training requirement.

As a reminder, pursuant to the Nursing Home Care Act the long-term care aide training program must also include a minimum of 10 hours of training in the care of Alzheimer's patients.

Sincerely,



Keith Reed, RN, MPH, CPH | Interim Commissioner of Health
Oklahoma State Department of Health