

**DEPARTMENT OF HEALTH
HEALTH REGULATION AND LICENSING ADMINISTRATION**

BOARD OF NURSING
AUTHORITY FOR GUIDANCE

March 2, 2022
DATE OF POLICY

22-001
POLICY NO.

POLICY STATEMENT
USE OF HOME HEALTH AIDES AND
CERTIFIED NURSE AIDES
DURING THE COVID-19 PANDEMIC
AMENDED

Due to the social distancing and other measures necessary to mitigate the spread of COVID-19, several requirements related to the training and licensing of home health aides (HHAs) and certified nurse aides (CNAs) became difficult or impossible to achieve. Consequently, the Board of Nursing (Board) adopted Policy No. 21-001 on January 6, 2021 to offer guidance related to the training, licensing, and use of HHAs and CNAs in the District. The policy was set to expire 180 days after the Mayor lifted the public health emergency declaration. Based on the positive development in the vaccination rate and the spread of the disease, the Mayor issued an order on July 24, 2021 to end the public health emergency declaration. Accordingly, the effect of the Board's Policy No. 21-001 ceased on January 21, 2022.

However, due to the surge of the omicron variant of SARS-CoV2 in December 2021 and January 2022, the Mayor issued Order 22-008 on January 6, 2022, declaring limited public health emergency effective until January 26, 2022. In light of this declaration, the Board now issues this current policy statement to amend and supersede Policy No. 21-001.

HHA Training Curriculum and Temporary Licensure

Section 9305.1(a) of Title 17 of the District of Columbia Municipal Regulations (DCMR) provides that an applicant for certification as an HHA must complete a Board-approved HHA or bridge to HHA training program. The Board-approved curriculum for HHA requires a total of 125 hours of training, 65 of which must be in classroom setting, 20 in a lab setting, and 40 in a clinical setting. Due to the COVID-related difficulty, some training programs are struggling to provide enough clinical rotations for the students to accrue the required 40 hours. Accordingly, the Board voted on January 6, 2021 to permit the substitution of as many of the required 40 clinical hours as justified by the challenges or difficulties existing in each training program by virtual simulation or clinical laboratory hours.

Although the spread of COVID-19 remains at a high level today, many preventive and mitigating measures make it possible for relatively normal life and daily activities to resume. Accordingly, the Board has determined that it is possible for HHA trainees to acquire their clinical hours as the curriculum requires. Therefore, the substitution of clinical hours with virtual simulation or laboratory hours is no longer permitted. All HHA trainees shall be expected to complete all the training requirements in accordance with the approved curriculum.

CNA Employment in Home Settings

Until the adoption on May 21, 2021 of an emergency and proposed rulemaking by the Director of the Department of Health, CNAs in the District were subject to regulation under Chapter 32 of Title 29 of the District of Columbia Municipal Regulations (DCMR) and Chapter 96 of Title 17 of the DCMR. Chapter 32, which had been effective from April 5, 1991 until its repeal on May 21, 2021, limited the use of CNA to nursing facilities; however, chapter 96, promulgated on August 23, 2019, did not contain such a restriction. Since Chapter 32 had been in effect for a longer period of time, CNAs have been utilized only in nursing facilities while home health aides (HHAs) have been utilized in a home setting. CNAs may provide home health aide and personal care services in a home setting to only after they have completed an HHA bridge course and become certified as HHAs.

COVID-19 pandemic has created a shortage of health care workers, particularly those needed to provide care in a home setting. Recognizing also that in many jurisdictions nurse aides are utilized in clients' homes to provide home health aide and personal care services, the Board made a decision on January 6, 2021 to permit CNAs licensed in the District to work and provide services in clients' homes without first completing the bridge course or obtaining an HHA certificate. This was permitted during the COVID-19 public health emergency and set to expire 180 days after the Mayor lifted the public health emergency declaration – on January 21, 2022.

Modified Continuation of the Policy

Based on declaration of limited public health emergency on January 6, 2022, the Board has determined the continue to permit CNAs to work in a home setting on the following terms:

- Any entity, facility, or organization that utilizes CNAs in a home setting shall promptly provide the full and complete list of such CNAs to the Board and shall notify the Board of any changes such as the addition of new CNAs assigned to clients' home or removed from such assignment.
- Any entity, facility, or organization that utilizes CNAs in a home setting shall assess and ensure that the CNAs are competent to provide home health aide and personal care services in a safe and effective manner.

- CNAs may be utilized in a home setting for no longer than **JULY 31, 2022**. To allow CNAs to continue to provide services in a home setting beyond that date, the CNAs shall be required to complete the bridge course and obtain an HHA certificate.

All inquiries pertaining to the practice of home health aides and certified nursing assistants may be directed to the Board's Executive Director, Dr. Teresa Walsh, at 202-724-8818 or teresa.walsh@dc.gov.