

Adopt Nur 700, previously effective 4-14-14 (Document #10570) and expired 4-14-24, to read as follows:

CHAPTER NUR 700 LICENSED NURSING ASSISTANTS

PART NUR 701 APPLICATION PROCEDURE

Nur 701.01 Education Program Approval. Any sponsor planning to offer a program designed to instruct nursing assistants shall:

(a) Receive approval from the department of education, division of educator support and higher education prior to applying for approval from the board; and

(b) Complete and submit the following to the office of professional licensure and certification (OPLC):

(1) The “Universal Application for Initial License”;

(2) The “Addendum to the Universal Application for LNA Education Providers”; that provides the following:

a. Name of the program;

b. Address where the program is located;

c. A description of how the program curriculum reflects current practice standards;

d. A description of the curriculum including:

i. The content of the course; and

ii. The goals and objectives of the course;

e. The total number of theoretical hours;

f. The total number of clinical hours;

g. The processes used, in addition to the examination described in Nur 702.02, to evaluate the progress of each student;

h. A signature authorizing a representative of the OPLC to visit the program site for the purpose of assessing the program's compliance with the requirements of this chapter;

i. If applicable, a copy of the written contract between the program or its sponsoring institution and the entity which has agreed to provide the setting where the program and the examination will be held;

j. Confirmation that the program will be taught by instructors who meet the requirements in Nur 702.03, and

k. Documentation from the department of education, division of educator support and higher education that confirms program approval.

(3) The application-related fees for program approval as specified in Plc 1001.21.

PART Nur 702 NURSING ASSISTANT EDUCATION PROGRAM AND INSTRUCTOR QUALIFICATIONS

Nur 702.01 Education Program Course Requirements. Programs designed to provide pre-licensure instruction to candidates seeking licensure as a nursing assistants shall:

(a) Consist of no less than 100 clock hours of instruction consisting of 40 hours of theory and 60 hours of concurrent clinical experience;

(b) Include at least a total of 16 hours of training in the following areas prior to any direct contact with a patient:

- (1) Communication and interpersonal skills;
- (2) Infection control;
- (3) Safety and emergency procedures, including the Heimlich maneuver;
- (4) Promoting residents' independence; and
- (5) Respecting residents' rights;

(c) Include training in the following basic nursing skills:

- (1) Taking and recording vital signs;
- (2) Measuring and recording height and weight;
- (3) Caring for the residents' environment;
- (4) Recognizing abnormal changes in body functioning and the importance of reporting such changes to a supervisor; and
- (5) Caring for residents when death is imminent;

(d) Include training in the following personal care skills:

- (1) Bathing;
- (2) Grooming, including mouth care;
- (3) Dressing;
- (4) Toileting;

- (5) Assisting with eating and hydration;
 - (6) Proper feeding techniques;
 - (7) Skin care; and
 - (8) Transfers, positioning, and turning;
- (e) Include training in mental health and social service needs, including but not limited to:
- (1) Modifying aide 's behavior in response to residents' behavior;
 - (2) Awareness of developmental tasks associated with the aging process;
 - (3) How to respond to resident behavior;
 - (4) Allowing the resident to make personal choices, providing and reinforcing other behavior consistent with the resident' s dignity; and
 - (5) Using the resident' s family as a source of emotional support;
- (f) Include training on the care of cognitively impaired residents, including but not limited to:
- (1) Techniques for addressing the unique needs and behaviors of individual with dementia (Alzheimer 's and others);
 - (2) Communicating with cognitively impaired residents;
 - (3) Understanding the behavior of cognitively impaired residents;
 - (4) Appropriate responses to the behavior of cognitively impaired residents; and
 - (5) Methods of reducing the effects of cognitive impairments.
- (g) Include training in basic restorative services, including but not limited to:
- (1) Training the resident in self-care according to the resident' s abilities;
 - (2) Use of assistive devices in transferring, ambulation, eating, and dressing;
 - (3) Maintenance of range of motion;
 - (4) Proper turning and positioning in bed and chair;
 - (5) Bowel and bladder training; and
 - (6) Care and use of prosthetic and orthotic devices;
- (h) Include training in residents' rights on the requirements of:

- (1) Providing privacy and maintenance of confidentiality;
 - (2) Promoting the residents' right to make personal choices to accommodate their needs;
 - (3) Giving assistance in resolving grievances and disputes;
 - (4) Providing needed assistance in getting to and participating in resident and family groups and other activities;
 - (5) Maintaining care and security of residents' personal possessions;
 - (6) Promoting the resident's right to be free from abuse, mistreatment, and neglect and the need to report any instances of such treatment to appropriate facility staff; and
 - (7) Avoiding the need for restraints in accordance with current professional standards; and
- (i) Maintain a student-to-instructor ratio that shall not exceed 8:1 in the clinical setting.

Nur 702.02 Competency Evaluation Requirement.

- (a) After completion of the program students shall be tested on the following:
- (1) The skills listed in Nur 702.01(b) through (h);
 - (2) Identifying hazardous conditions in the environment;
 - (3) Demonstrating emergency measures;
 - (4) Manipulating adaptive devices or special equipment;
 - (5) Recording stages of the developmental process;
 - (6) Recording intake or output;
 - (7) Noting abnormalities in behavior or bodily functions;
 - (8) Noting and recording results of simple laboratory tests;
 - (9) Identifying religious symbols and artifacts;
 - (10) Identifying nursing and medical equipment;
 - (11) Describing and reporting abuse; and
 - (12) Manipulating, and utilizing adaptive devices to promote rest, comfort, and independence.
- (b) Students shall achieve a grade of 70, or greater, in examinations testing for theoretical content; and a grade of “pass” on skills test.
- (c) The program’s physical facilities and educational materials shall meet the needs of the program, the number of students, and the instructional staff.

(d) The program facility shall provide for clean, safe environmental conditions with comfortable temperatures.

Nur 702.03 Written Verification of Program Completion.

(a) When each student has completed the curriculum of the education program and passed the examination described in Nur 702.02, the program shall issue the student a written verification of completion showing:

- (1) The name of the student;
- (2) The name of the sponsoring institution;
- (3) The date of issuance of the written verification;
- (4) The number of hours of theoretical instruction and the number of hours of clinical instruction received by the student;

(b) All education programs shall report to the OPLC the names, addresses, telephone numbers, and employers, if known of students who have passed the examination described in Nur 702.02 within 5 working days of the students' passing the examination.

(c) All education programs shall report to the OPLC the names of the students to whom it has issued the written verification described in (a) above.

Nur 702.04 Instructor Qualifications.

(a) The instruction of nurse aides shall be performed by or under the general supervision of a registered nurse who possesses a minimum of 2 years of nursing experience, at least 1 year of which must be in the provision of long-term care facility services.

(b) Instructors shall have completed a course in teaching adults or have experience in teaching adults or supervising nurse aides.

(c) Other personnel from the health professions may supplement the instructor, including, but not limited to, registered nurses, licensed practical nurses, pharmacists, dietitians, social workers, sanitarians, fire safety experts, nursing home administrators, gerontologists, psychologists, physical and occupational therapists, activities specialists, speech, language and hearing therapists, and resident rights experts. Supplemental personnel shall have at least 1 year of experience in their fields.

Nur 702.05 Continuing Education Program Course Requirements.

(a) Continuing education programs shall address one or more of the following competency domains:

- (1) Infection prevention and control;
- (2) Resident or patient rights and communication;

- (3) Observation and reporting of changes in client condition;
- (4) Safe body mechanics and mobility assistance;
- (5) Dementia and mental health care;
- (6) End-of-life and palliative care;
- (7) Emergency preparedness and response;
- (8) Cultural competency and trauma-informed care;
- (9) Updates in laws and administrative rules governing LNAs; and
- (10) Any other topic approved by the Board that supports the role and responsibilities of an LNA.

PART Nur 703 EDUCATION PROGRAM APPLICATION PROCESS

Nur 703.01 Application Review Process.

- (a) Applications shall be reviewed as required by Plc 304.06.
- (b) After initial review, the board's representative shall evaluate the program and determine compliance with the requirements of Nur 702.
- (c) The board shall take one or more of the following actions if an education program does not comply with the requirements of this chapter:
 - (1) Offer recommendations for compliance or program enhancement without changing the approval status of the program where the violations are minor and do not impair the effectiveness of the program;
 - (2) After opportunity for a hearing pursuant to Plc 200, approve the program with conditions for compliance within a specified period of time where the violations are more significant than in (1) above, but are still capable of being quickly remedied; or
 - (3) After opportunity for a hearing pursuant to Plc 200, withdraw approval of the program where the seriousness or extent of the violations is such that the board determines that the violations cannot be remedied while the program is in operation.
- (d) Initial program approval shall be valid for one year and are renewable every 2 years thereafter, as long as the program continues to comply with the requirements of this chapter.
- (e) The board shall give written notice to the program and its sponsoring institution within 10 working days of its decision to withdraw approval of the program.
- (f) A program for which the approval of the OPLC has been withdrawn shall have the right to request reconsideration of the decision to withdraw approval within 30 working days of the date of such decision.

Nur 703.02 Program Renewal Requirements. A licensee wishing to renew their program approval shall complete and submit the following:

(a) The “Universal Application for License Renewal” as required in Plc 308.05, that provides the information required by Plc 308.06, the additional information and documentation required by Plc 308.07, and is signed and attested to as required by Plc 308.08;

(b) The “Addendum to the Universal Application for License Renewal for LNA Education Providers” that provides the following information:

- (1) The number of students admitted to the program during the year reported;
 - (2) The number of students completing the program during the year reported;
 - (3) The number of times during the year that the entire program was offered; and
- (c) The application fee required by Plc 1001.21.

PART Nur 704 RECORDS

Nur 704.01 Registry Reporting.

(a) The board shall keep on file the name, address, telephone number, date of certification, date license was issued, and license number of every individual providing nursing-related activities.

(b) The registry file shall contain any legally proven acts of neglect, abuse, or misappropriation of personal or public property, and disciplinary actions taken by the board pursuant to OBRA 1987, RSA 326-B, and these rules.

(c) The board shall disclose the date of registry entry of any nursing assistant and upon request shall disclose proven acts of abuse, neglect, or misappropriation of personal or public property or other actions taken by the board.

Nur 704.02 RESERVED

Nur 704.03 RESERVED

APPENDIX I

Rule	Specific State Statute the Rule Implements
Nur 701.01	RSA 326-B:27-a; RSA 326-B:9, XVI; RSA 310:4
Nur 702.01	RSA 326-B:27-a; RSA 326-B:32
Nur 702.02	RSA 326-B:27-a
Nur 702.03	RSA 326-B:27-a; RSA 326-B:32
Nur 702.04	RSA 326-B:27-a
Nur 702.05	RSA 326-B:27-a; RSA 326-B:9, XVI
Nur 703	RSA 326-B:9, XVI; RSA 326-B:27-a; RSA 310:4
Nur 704	RSA 326-B:32