

LAWS OF DELAWARE
VOLUME 83
CHAPTER 267
151st GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 280

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REGULATORY PROVISIONS CONCERNING PUBLIC HEALTH.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 30A, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3002A. Certified nursing assistant training.

To obtain certification as a certified nursing assistant, all trainees must complete ~~a total of 150 clock hours of training, 75 of which are in the classroom and 75 of which include clinical training.~~ training in both classroom and clinical settings. The total clock hours of classroom and clinical training required for certification shall be determined by the Department through written order signed by the Secretary. At no time may the number of clock hours be less than those required by the Centers for Medicare and Medicaid Services.

§ 3004A. Mandatory orientation period.

(a) A nursing assistant who has ~~undergone 150 clock~~ completed the hours of training required for certification as certified nursing assistant in a training program sponsored by the facility where the nursing assistant will be employed immediately thereafter shall be required to complete an additional facility specific orientation period ~~of 40 hours~~ in a skilled nursing facility or ~~32 hours in an~~ assisted living facility. Nursing assistants shall have direct physical contact with residents only while under the visual observation of a certified nursing assistant or licensed nurse employed by the facility. Nursing assistants must receive certification within 90 calendar days of completion of the training program. Nursing assistants who do not receive certification within 90 calendar days may not work as a nursing assistant. The guidelines requirements for nursing assistant orientation shall be specified in a written order signed by the Secretary. ~~promulgated by the Department.~~

(b) All certified nursing assistants hired to work in a skilled care, care or intermediate care care, or assisted living facility shall undergo ~~a minimum 80 hours of orientation,~~ an orientation period, which must include clinical hours, at least 40 of which shall be clinical. ~~Certified nursing assistants hired to work in an assisted living facility shall undergo a minimum 64 hours of orientation at least 24 of which shall be clinical.~~ Any certified nursing assistant undergoing orientation and completing clinical tasks may be considered a facility employee for purposes of satisfying the minimum facility staffing requirements set by this chapter and the Department. The guidelines requirements for certified nursing assistant orientation shall be ~~promulgated by the Department.~~ specified in a written order signed by the Secretary.

Approved January 24, 2022