

NEIL ABERCROMBIE
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February 7, 2011

MEMORANDUM

TO: The Honorable Ryan I. Yamane, Chair
House Committee on Health

The Honorable John M. Mizuno, Chair
House Committee on Human Services

FROM: Patricia McManaman, Interim Director

SUBJECT: **H.B. 749 - RELATING TO NURSES AIDES**

Hearing: Monday, February 7, 2011, 10:15 a.m.
Conference Room 329, State Capitol

PURPOSE: The purpose of H.B. 749 is to include a competency evaluation approved by the Department of Human Services for biennial maintenance and continuing education hours required for nurse aide recertification.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) respectfully opposes this bill due to its impact on Act 108, which took effect on July 1, 2009.

The proposed amendments to HRS section 346-46(4) in Section 1, page 1 and in HRS section 457A-7 in Section 3, page 3 require nurse aides in Medicare or Medicaid nursing facilities to include the completion of a competency evaluation approved by DHS as continuing education hours. This requirement is unnecessary because HRS section 457A-7 already fully complies with United States Code

sections 1395i-3 and 1396r that require annual performance reviews and in-service training for biennial recertification of nurse aides in Medicare or Medicaid nursing facilities. These annual performance reviews and in-service training are consistent with and serve as competency evaluations for Medicare or Medicaid facility nurse aides. To require a competency evaluation approved by DHS in addition to annual performance reviews and in-service training for the Medicare or Medicaid facility is redundant and not necessary.

DHS is opposed to the inclusion of new statutory language in HRS section 457A-2 in Section 2, page 2 of this bill that will allow the completion of a competency evaluation itself to be counted towards the continuing education hours taken by a nurse aide. The purpose of requiring twenty-four hours of continuing education hours over a two-year period is to ensure that nurse aides remain current with their skills and in their knowledge of relevant health-related topics. Allowing the completion of a competency evaluation to be considered as part of any continuing education hours would defeat this purpose.

Thank you for this opportunity to testify on House Bill No. 749.