



# Board of Nursing

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P. H., Secretary

## **FREQUENTLY ASKED QUESTIONS: HB1125/SB0999, 2024 Legislative Session The CNA Bill**

*Last Updated: November 12, 2024*

On May 16, 2024, Maryland Governor Wes Moore signed House Bill 1125/SB0999 (the “CNA Bill”) into law. The CNA Bill is attached for reference. Importantly, please note that the CNA Bill will not go into effect until October 1, 2025.

The Maryland Board of Nursing (the “Board”) has developed this document to prepare future applicants, current certified nursing assistants (“CNA”) and geriatric nursing assistants (“GNA”), training programs, employers, and the public for the implementation of this bill. The Board, in consultation with relevant stakeholders, will be adopting regulations to implement the CNA Bill. The Board will update this document as needed to add or clarify information.

### **GENERAL QUESTIONS**

#### **1. When does the CNA Bill go into effect?**

October 1, 2025.

#### **2. Can you provide a general overview of the CNA Bill?**

The CNA Bill creates two types of CNA: CNA-I and CNA-II. “CNA-I” is the new name for what is currently called a CNA/GNA. “CNA-II” is the new name for what is currently called a CNA. All current “categories” of CNA, including GNA, School Health, Home Health, and Developmental Disabilities, will no longer exist.

Effective October 1, 2025, an applicant for certification as a CNA can only apply for certification as a CNA-I. Applicants will not be able to apply for certification as a CNA-II. Only individuals who hold a CNA certificate as of September 30, 2025, can be certified as a CNA-II.

In order to be certified as a CNA-I, an applicant must: (1) complete a Board-approved nursing assistant training program or acute care nursing assistant training program that meets the acute care nursing assistant curriculum approved by the Board; and (2) pass the Board-approved nursing assistant competency evaluation. A nursing assistant training program and competency evaluation must meet the requirements of federal law in order to be approved by the Board. (*See FAQ # 13 regarding applicable federal law.*)

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**Interpreter Services are available upon request.**

### **3. What is the practical difference between a CNA-I and CNA-II?**

A CNA-I (or current CNA/GNA) can work in any practice setting, including a nursing facility or skilled nursing facility (*i.e.* long-term care). A CNA-II (or current CNA) cannot work in a nursing facility or skilled nursing facility (*i.e.* long-term care) but can work in any other practice setting.

### **4. Is the “nursing assistant competency evaluation” referred to in the CNA Bill the same as what is currently called the GNA-CE?**

Yes. The nursing assistant competency evaluation is the examination approved by the Board that meets the requirements under federal law. The current Board-approved examination is the [NNAAP Nurse Aide Examination offered by Credentia](#).

Federal law permits the Board to approve more than one nursing assistant competency evaluation, so long as the examination meets the requirements under federal law. Due to current shortages in available testing dates for the NNAAP, at its October 23, 2024 meeting, the Board approved Headmaster as an additional vendor to administer a competency examination that meets federal requirements. The Board’s goal is to increase testing capacity in Maryland to meet the demand for new CNA-I (or current CNA/GNA).

### **5. What are the requirements under federal law referenced in the CNA Bill?**

Federal law prohibits nursing facilities and skilled nursing facilities from using individuals as “nurse aides” (the federal term for nursing assistant) if the individuals have not successfully completed a “nurse aide” training and competency evaluation program or competency evaluation program approved by the State. Federal law sets the requirements for State approval of “nurse aide” training and competency evaluation programs. *See* 42 CFR § 483.151 – 154 (attached).

## **QUESTIONS CONCERNING CERTIFICATE HOLDERS**

### **6. I am currently certified as a CNA/GNA. What will happen to my certificate on October 1, 2025? How will this affect me?**

The Board’s Information Technology (“IT”) system will administratively change the title on your certificate from “Certified Nursing Assistant” to “Certified Nursing Assistant-I,” and you will no longer have a separate GNA designation. Your certificate number will not change. As long as your CNA-I certificate is active, you will continue to be able to practice in any practice setting, including long-term care.

### **7. I am currently certified as a CNA. What will happen to my certificate on October 1, 2025? How will this affect me?**

The Board’s IT system will administratively change the title on your certificate from “Certified Nursing Assistant” to “Certified Nursing Assistant-II.” Your certificate number will not change.

As long as your CNA-II certificate is active, you will be able to continue practice as a CNA (but will still be unable to practice in the long-term care setting).

**8. I am currently certified as a CNA with a designation in School Health, Home Health, or Developmental Disabilities. What will happen to my certificate on October 1, 2025? How will this affect me?**

Effective October 1, 2025, the Board's IT system will administratively change the title on your certificate from "Certified Nursing Assistant" to "Certified Nursing Assistant-II," and you will no longer have a School Health, Home Health, or Developmental Disabilities designation. This change does not affect your ability to practice in the school health, home health, or developmental disabilities setting, because CNA-IIs are able to practice in any setting except long-term care.

**9. I am currently certified as a CNA/GNA with additional certification as a certified medicine aide ("CMA"). What will happen to my certificate and certification on October 1, 2025? How will this affect me?**

Effective October 1, 2025, the Board's IT system will administratively change the title on your certificate from "Certified Nursing Assistant" to "Certified Nursing Assistant-I," and you will no longer have a separate GNA designation. Your certificate number will not change. Nothing will happen to your CMA certification; it will remain separate from your CNA certificate.

**10. If, after October 1, 2025, I hold a CNA-II certificate, and I wish to become a CNA-I so I can work in long-term care, what do I do?**

You must successfully complete a Board-approved nursing assistant training program and pass the Board-approved nursing assistant competency evaluation. (Note that the CNA Bill requires you to complete a *nursing assistant* training program, not an *acute care* nursing assistant training program.) You will then be required to submit to the Board an application on the form that the Board requires.

**11. I want to apply for CNA certification in the future, but I do not wish to work in long-term care. Do I still have to take the nursing assistant competency evaluation?**

Yes. After October 1, 2025, all applicants for CNA certification must take the nursing assistant competency evaluation.

**12. What will be the renewal requirements for a CNA-I or CNA-II?**

All CNA renewal applicants must have completed 16 hours of active CNA practice within the 2-year period immediately preceding the date of expiration. If a CNA has not completed 16 hours of active CNA practice within the 2-year period immediately preceding the date of expiration, the CNA must successfully complete a nursing assistant training program, or the nursing assistant competency evaluation as set forth in regulations to be adopted by the Board. (Note that the CNA Bill requires completion of a *nursing assistant* training program, not an *acute care* nursing assistant

training program.) The Board will be working on these regulations with stakeholders and will update these FAQs in the future.

### **QUESTIONS CONCERNING NURSING ASSISTANT TRAINING PROGRAMS**

#### **13. How does the CNA Bill affect nursing assistant training programs?**

The CNA Bill redefines an “approved nursing assistant training program” as a course of training that meets the requirements under State *and federal* law and is approved by the Board. The federal requirements for nursing assistant training programs are set forth in 42 CFR § 483.151-152 (attached). Accordingly, all nursing assistant training programs must meet the requirements under federal law and the Board’s regulations in order to be approved by the Board.

#### **14. I operate a CNA only training program. What do I need to do?**

It is strongly recommended that all CNA-only programs (*i.e.* programs that are not CNA/GNA programs) begin taking the necessary steps to comply with federal law as soon as possible. It is also strongly recommended that all CNA-only programs resubmit their programs for approval at least 120 days or no later than May 31, 2024, before October 1, 2025. After October 1, 2025, the Board will be unable to certify any applicant who attended a CNA-only program, because as of the effective date of the CNA Bill, all applicants must have attended a program that meets the requirements under federal law.

#### **15. What is an acute care nursing assistant training program?**

An acute care nursing assistant training program is a course of training that meets the acute care nursing assistant curriculum approved by the Board. An individual who completes an acute care nursing assistant training program is eligible to sit for the Board-approved nursing assistant competency evaluation.

### **QUESTIONS CONCERNING NURSING STUDENTS**

#### **16. I am a student enrolled in an accredited nursing education program. Do I need to be certified in order to perform nursing assistant tasks?**

Currently, a student enrolled in an accredited nursing education program may perform nursing assistant tasks while practicing under the direct supervision of qualified faculty or preceptors. Effective October 1, 2025, a student who is enrolled in an accredited nursing education program may also perform nursing assistant tasks after successfully completing a portion of the nursing education program that the Board determines meets the requirements of an approved CNA training program.

Note that these exceptions only apply to students who are *enrolled* in an accredited nursing education program. Upon graduation from an accredited nursing education program, the graduate must apply for CNA-I certification in order to continue performing nursing assistant tasks.

**17. I completed the portion of a nursing education program that has been deemed by the Board to meet the requirements of a nursing assistant training program, and I want to apply for CNA certification. Do I still need to take the nursing assistant competency evaluation?**

Yes. Once effective, the CNA Bill requires all applicants for CNA certification to take the competency evaluation.

### **QUESTIONS CONCERNING EMPLOYERS OF CNAs**

**18. What are my obligations as an employer of CNAs?**

The Nurse Practice Act requires the following: “Any additional clinical practice skills specific to a setting of practice shall be taught in that setting as a part of the employment training process in that setting.” Health Occ. § 8-6A-14(d).