



Board of Nursing

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TEMPORARY NURSE AIDE PATHWAY FOR CNA/GNA CERTIFICATION GUIDANCE AND APPLICATION INSTRUCTIONS

All temporary nurse aides (TNAs) and facilities that employ TNAs are ***strongly encouraged*** to read this document closely and in its entirety. If, after reading this document in full, you have additional questions about the TNA application process, please submit an inquiry to: mbon.TNA@maryland.gov. This document (and any future updates to this document), as well as other resources, are available on the Board's website.

I. Background

A. CMS Regulations/Waiver

Regulations promulgated by the Centers for Medicare and Medicaid Services ("CMS") state that a nursing facility or skilled nursing facility may not employ an individual working as a nurse aide for more than 4 months, on a full-time basis, unless the individual: (1) has completed a training program and competency evaluation approved by the State; and (2) has been deemed or determined to be competent. See 42 CFR § 483.35(d). CMS regulations further specify the requirements for State approval of a nurse aide training and competency evaluation program. See 42 CFR § 483.151-156.

On March 31, 2020, CMS [temporarily waived](#) certain CMS regulations to provide flexibility for the response to the federal COVID-19 public health emergency ("PHE"). This included a waiver of subsection (1) of the above-referenced regulation. Specifically, CMS temporarily waived the provision that prohibits a facility from employing an individual as a nurse aide for more than 4 months, on a full-time basis, unless that individual has completed a State-approved training and competency evaluation (the "Waiver").¹ Accordingly, pursuant to the Waiver, nursing facilities and skilled nursing facilities were able to hire individuals who had not completed a State-approved training program and competency evaluation to work full-time as a nurse aide for more than 4 months. These individuals became known as "temporary nurse aides" ("TNA") in Maryland.

On April 7, 2022, CMS announced that the Waiver would be [terminated effective June 6, 2022](#), meaning that a nursing facility or skilled nursing facility would once again be prohibited from employing any individual—including a TNA—to work as a nurse aide for more than 4 months

¹ CMS did not waive the requirement that prohibits a facility from employing an individual to work as a nurse aide for more than 4 months, on a full-time basis, unless that individual is deemed competent.

TNA Application - Guidance and Instructions

(i.e. beyond October 6, 2022), on a full-time basis, unless that individual has completed a State-approved training program and competency evaluation program.

On August 29, 2022, CMS [clarified](#) that it would accept continued waiver requests from (1) individual facilities when there are localized barriers to training/testing for TNAs in a state or county; or (2) a state agency when there are widespread barriers to training/testing for TNAs that are statewide or in a particular county within a state. Accordingly, the Board worked with the Office of Healthcare Quality and the Maryland Department of Health to submit a request for a statewide waiver for the State of Maryland to allow TNAs to continue practicing while seeking CNA/GNA certification from the Board.

On September 30, 2022, CMS granted an extension of the waiver (the “Continued Waiver”) for the State of Maryland that is effective until the end of the federal Public Health Emergency, which is expected to end on May 11, 2023. **Accordingly, if the PHE ends on May 11, 2023 as expected, TNAs will have until SEPTEMBER 10, 2023 (four months from May 11, 2023) to obtain certification as a CNA/GNA in the State of Maryland.**

B. Maryland Legislation and Regulations

During the 2022 legislative session, the Maryland General Assembly [passed a bill](#) that requires the Maryland Board of Nursing (the “Board”) to promulgate regulations that allow an individual who has been practicing as a TNA in accordance with the Waiver to apply on-the-job training toward the total number of hours of training required for certification as a certified nursing assistant (“CNA”)/geriatric nursing assistant (“GNA”) in the State of Maryland.² (A GNA is the Maryland equivalent of a nurse aide under federal law.) This bill became law on June 1, 2022.

On June 9, 2022, in light of the termination of the Waiver effective June 6, 2022, the Board submitted emergency TNA regulations in accordance with the new legislation. The Board’s emergency regulations were approved on September 27, 2022.

II. TNA Pathway for Certification as a CNA/GNA

Pursuant to the Board’s emergency regulations, a TNA applying for initial certification as a CNA/GNA must meet all of the normal requirements for certification as a CNA/GNA, with one exception. The exception is: A TNA may be deemed to have completed a Board-approved CNA/GNA training program (and therefore does not have to complete a traditional CNA/GNA training program) if the TNA:

² According to [CMS Guidance](#), CMS acknowledged that “training on many of the topics stated in the federal requirements [for State approval of training programs] can be obtained in the nursing home setting through onsite observation and working as a nurse aide under the blanket waiver.” CMS recommended that states “consider allowing some of the time worked by the nurse aides during the PHE to count towards the 75-hour training requirement.” CMS further stated that “states must ensure that all of the required areas of training per 42 CFR § 483.152(b) are addressed, and any gaps in onsite training that are identified are fulfilled through supplemental training.”

TNA Application - Guidance and Instructions

- (a) Completed an 8-hour online TNA training course offered by the American Health Care Association, the National Center for Assisted Living, or another comparable program approved by the Board;
- (b) Completed a minimum of 100 hours of on-the-job training as a TNA that:
 - (i) Met the requirements under 42 CFR § 483.152(a) and (b)(2)-(7); and
 - (ii) Was not provided in a facility described under 42 CFR § 483.151(b)(2)-(3); and
- (c) In addition to the minimum 100 hours of on-the-job training, worked as a TNA competently for a minimum of 160 hours.

The emergency regulations further provide that if a TNA's on-the-job training did not meet all of the requirements listed under 42 CFR § 483.152(a) and (b)(2)-(7), the employer may provide supplemental training to address any of those missing requirements.

If a TNA does not meet the requirements listed above, then the TNA does not qualify for the exception and must complete a traditional CNA/GNA training program in order to be eligible for certification as a CNA/GNA.

III. Steps and Instructions for Applying for Certification under the TNA Pathway

A. Application

- A TNA applicant must fully complete a PAPER "Initial Application for Nursing Assistant Certification" for TNAs.
 - Download and print the TNA application posted on the Board's website. Please ensure that the application is printed clearly (no faded text, streaks, or blotches). TNA applications will also be available for pick-up at the Board's offices.
 - A TNA applicant cannot apply for certification online.
 - If a TNA is already certified as a CNA but is seeking certification as a GNA under the TNA pathway, please see FAQ #11, below.
- Additional instructions for completing the application:
 - For the part of the application that states "Education: to be completed by training program": The facility that employs or employed the TNA should complete this section and provide the following information:

TNA Application - Guidance and Instructions

- For the name and location of the training program, provide the name and location of the facility. Please indicate “TNA” before the name of the facility. For example, TNA- Example Nursing Facility, Baltimore MD.
- For the date that the training program was completed, provide the approximate date by which the TNA applicant received 100 hours of on-the-job training.
- For the part of the application that states “Training Program Certification: must be completed by CNA Training Program Instructor”: The facility that employs or employed the TNA applicant should complete this section and provide the following information:
 - For the name of the institution, provide the name of the facility.
 - For the date of completion, provide the approximate date by which the TNA applicant received 100 hours of on-the-job training.
- If a TNA applicant is already certified as a CNA and is seeking certification as a GNA under the TNA pathway, TNA applicants should write their CNA certificate number on the top of the paper application. See FAQ #11 below for more information.

B. Attestation Form

- The paper application for TNAs will be accompanied by an Attestation Form, which is the formal document by which the TNA applicant, the registered nurse (“RN”) who instructed or supervised the applicant at the employing facility, and the Administrator or Director of Nursing (“DON”) at the employing facility confirm that the TNA Applicant meets all of the qualifications listed above for a TNA to be deemed to have completed a CNA/GNA training program.
- The TNA applicant, RN Instructor/Supervisor, and the Administrator or DON must fully complete the Attestation Form.
 - In order to complete the Attestation Form, the RN Instructor/Supervisor must have witnessed and/or have personal knowledge that the on-the-job training of the TNA applicant met the requirements under 42 CFR § 483.152(a) and (b)(2)-(7).
- Each individual must sign the Attestation Form in the presence of a notary public.

C. Criminal History Records Check

TNA Application - Guidance and Instructions

- A TNA applicant must submit to a criminal history records check (“CHRC”). Please review the CHRC instructions for initial CNA certification on the Board’s website at <https://mbon.maryland.gov/Pages/chrc-index.aspx>.
- A TNA Applicant must attach a copy of the receipt with a tracking number to the paper application.

D. Fee

- Except as provided in FAQ #11 below for current CNAs, the TNA applicant must submit the fee of \$20.00 in the form of a cashier’s check, facility check, personal check, or money order, made payable to the Maryland Board of Nursing.
 - Cash or credit card are not accepted at this time.
 - **All fees are nonrefundable.**

E. Submission of Application

- A complete application packet includes a completed paper application, attestation form, the CHRC receipt with tracking number, and payment of the fee.
- The Administrator, DON, or Human Resources Representative at the employing facility must mail or hand-deliver the entire completed application packet on behalf of the TNA applicant to:

Maryland Board of Nursing
Attention: Jaray Richardson
4140 Patterson Avenue
Baltimore, Maryland 21215

Please note: **The Board’s emergency regulations require the *employer* to submit the Attestation Form directly to the Board.** Accordingly, the Board strongly recommends and requests that the employer submit the entire application packet to the Board on behalf of the applicant. Keeping application materials together will help prevent delays in the processing of the application and reduce the burden on the Board’s staff, as the Board expects a high volume of TNA applications to be submitted. **It is further recommended that mailed applications be sent via Fed-Ex for tracking purposes and that hand-delivery of applications be done by scheduling an appointment with Board staff. A facility can schedule an appointment for hand-delivery of applications by emailing mbon.TNA@maryland.gov.**

F. Geriatric Nursing Assistant Competency Evaluation (“GNA-CE”)

TNA Application - Guidance and Instructions

- As soon as the application packet is submitted to the Board, the TNA Applicant must register for the GNA-CE with the Board-approved exam provider, Credentia, by creating or logging into a CNA365 account on Credentia’s website at: <https://credentia.com/test-takers/maryland>. After logging in, click on “Start New Application” and select the TNA pathway as the eligibility route.
 - It is important that the TNA Applicant register for the exam in a timely manner. See FAQ #9.
- After registration, the TNA Applicant will not be able to schedule an examination date with Credentia until the Board reviews the applicant’s application materials and notifies Credentia that the applicant meets the qualifications for a TNA to be certified as a CNA/GNA and may schedule the GNA-CE.
 - The written portion of the GNA-CE is online, and the skills portion is in person.
- After the Board approves an applicant to sit for the GNA-CE, Credentia will notify the TNA applicant **via e-mail** that the applicant is now able to schedule an examination. The applicant must then schedule, take, and pass the GNA-CE.
 - If the Board does not approve an application (*i.e.* the application is not complete or the applicant is ineligible under the TNA pathway for CNA/GNA certification), the applicant will be so notified via mail and/or e-mail.

G. Issuance of a Certificate

- After Credentia notifies the Board that a TNA applicant passed the GNA-CE, the Board will issue a CNA/GNA certificate to the applicant, provided that the applicant’s CHRC results have been received and reviewed by the Board.
 - Applicants can check the status of an application by looking themselves up on the “Look Up a Licensee” search function on the Board’s website: <https://mbon.maryland.gov/Pages/lic-lookup.aspx>

IV. Frequently Asked Questions (FAQs)

1. What is a temporary nurse aide (“TNA”)?

A TNA is an individual who is not certified as a geriatric nursing assistant (“GNA”) (also known as a “nurse aide”) in the State of Maryland, but who worked as a GNA at a nursing

TNA Application - Guidance and Instructions

facility or skilled nursing facility in Maryland during the COVID-19 pandemic pursuant to the Waiver issued by CMS.

2. I am a TNA. When do I need to be certified as a CNA/GNA?

All TNAs must be certified as CNA/GNA by **SEPTEMBER 10, 2023**. The Board encourages all TNAs to apply for certification as a CNA/GNA as soon as possible.

3. What should I do to ensure that my application is processed in a timely manner?

Please be sure that your application is complete when submitted to the Board. This includes submitting all required documentation described above. The Board cannot process an incomplete application.

4. Will there be a sufficient number of testing sites for TNAs to take the GNA-CE?

The Board is working with Credentia, the current GNA-CE provider in Maryland, to ensure that there is sufficient testing capacity at GNA-CE testing sites.

5. Where can I find more instructions on how to register for the GNA-CE or schedule an examination?

Please review Credentia's website, including the following link:
<https://credentia.com/storage/registration/MD-Candidate-Registration-QRG-v2.0.pdf>

6. Do I still have to complete a criminal history records check ?

Yes. Please submit to a criminal history records check within the same week that you submit your application.

7. What if my employer cannot submit a completed Attestation Form or if the Board notifies me that I am ineligible for certification under the TNA Pathway? How can I be certified as a GNA?

If, for any reason, you or your employer are unable to complete the Attestation Form, or if you are deemed ineligible under the TNA pathway, you must complete a traditional CNA/GNA training program in order to be eligible for certification as a CNA/GNA. If you already applied for certification under the TNA pathway, you will have to reapply after you complete your training program.

8. I am no longer employed at the facility where I worked during the CMS waiver. How do I complete my application?

TNA Application - Guidance and Instructions

You will need to contact your prior employer to assist you in completing your application.

9. When should I register for the GNA-CE?

It is important that you register for the GNA-CE on the Credentia website at the time you submit your application. The Board will approve applicants to sit for the GNA-CE by logging into the Credentia CNA365 system and approving each individual applicant. If you have not yet registered for the GNA-CE, the Board will be unable to approve you to schedule an examination.

10. I am an RN instructor/supervisor of a TNA applicant. What if I only provided/witnessed part, but not all, of the training of the TNA?

The Board must receive verification that the TNA's on-the-job training satisfied each of the requirements for a nurse aide training program under 42 CFR § 483.152(a) and (b)(2)-(7). If another RN also provided training/instruction, that RN instructor/supervisor can also complete the Attestation Form, using the supplemental page at the end. In addition, if an RN instructor/supervisor is unable to attest to providing or witnessing the training, supplemental training can be provided.

11. I am already certified as a CNA, but I worked as a TNA during the COVID-19 pandemic under the Waiver. Can I be certified as a GNA under the TNA pathway?

Yes. You can apply for GNA certification under the TNA pathway, as outlined in this document, with the following exceptions:

- If you hold an active CNA certificate at the time you apply, you do not have to pay a fee for GNA certification.
- If you hold a nonrenewed CNA certificate at the time you apply, you must complete both the TNA Application and a PAPER CNA renewal application, along with the renewal fee of \$40 for your CNA certificate. The paper CNA renewal application can be downloaded from the TNA page on the Board's website.
 - Please do not apply for renewal of your CNA certificate online if you are nonrenewed; submit both paper applications to the Board together.

Note: CNAs should write their CNA certificate number on the top of their paper applications.

12. Will I receive a 90-day letter, or a temporary certificate, while my TNA application is being processed?

No. TNAs are able to practice in accordance with the Continued Waiver.

13. Does the attestation form really have to be notarized? If so, why?

TNA Application - Guidance and Instructions

All attestation forms must be notarized. The purpose of notarization is to ensure validity and authenticity of the signed document.

14. I took and passed the GNA-CE, but I do not see my CNA/GNA certification on the website. What is the delay?

This is likely due to one or more of the following: (1) the Board has not received your passing score from Credentia; (2) the Board has not received the results from your criminal history records check; or (3) you have a positive criminal history that must be reviewed by the full Board.

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