



Governor's Advisory Council for Exceptional Citizens (GACEC) 516 West Loockerman St., Dover, DE 19904
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June 29, 2022

Corinna Getchell
Division of Health Care Quality
261 Chapman Road, Suite 200
Newark, DE 19702

RE: 25 DE Reg. 1102 DHSS/DHCQ Proposed Regulations Governing Training and Qualifications for Certified Nursing Assistants (June 1, 2022)]

Dear Ms. Getchell:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Delaware Health and Social Services (DHSS)/Division of Health Care Quality (DHCQ) proposed regulations governing training and qualifications for certified nursing assistants (CNAs). Council **supports** the proposed regulations.

On January 24, 2022, the Governor signed House Bill 280 into law. The law amended Title 16 Chapter 30A, Training and Qualifications for Nursing Assistants and Certified Nursing Assistants. The major purpose of the law was to streamline the procedure to become a certified nursing assistant to help understaffed hospitals and long-term care facilities and to enhance the State's response during the COVID-19 pandemic and similar emergencies.

While it appears that the stringent requirements for CNAs could be eroded by the Secretary of DHSS because of the discretion vested in the Secretary to relax the classroom and clinical hours and requirements for orientation, that notion is false. The classroom and clinical hours cannot be less than the number prescribed by the Centers for Medicare and Medicaid Services (CMS). As a result, there is a built-in safeguard. These regulations implement the changes in the law, which was directed to helping staff hospitals and nursing homes.

As stated, Council supports the proposed amendments; however, in order to make this field a more attractive and lucrative profession, Council recommends increasing compensation for CNAs and private duty nurses (PDNs). Council also advocates for expanding the duties and responsibilities of CNAs in order to encourage more people to consider this profession.

Thank you for your consideration of our support and suggestions. Please contact Pam Weir or me if you have any questions on our comments.

Sincerely,

Ann C Fisher

Ann C. Fisher
Chairperson

ACF: kpc

CC: The Honorable Molly Magarik, DHSS
Gabriela Kejner, Office of the Secretary, DHSS