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# ORDER OF THE COMMISSIONER OF PUBLIC HEALTH TO WAIVE TIMEFRAME FOR CERTIFIED NURSE AIDE TRAINING

On March 10, 2020, Governor Charles D. Baker declared a State of Emergency in the Commonwealth to respond to the spread of COVID-19. The Public Health Council has approved and authorized me to take such actions, incur such liabilities, and establish such rules, requirements, and procedures which are necessary to prepare for, respond to, and mitigate the spread of COVID-19 in order to protect the health and welfare of the people of the Commonwealth, consistent with the Governor's declaration.

As of May 11, 2020, 78,462 cases of COVID-19 were reported by the Department of Public Health, with all counties in the Commonwealth impacted. All indications are that the number of cases continues to grow, and there is increased need for health care personnel throughout the Commonwealth.

Accordingly, having received that authorization from the Council, and with the approval of the Governor, I issue the following Order:

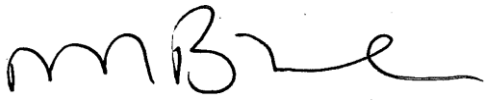
General Law chapter 111, §72W, and 105 CMR 156.100(A) are hereby suspended in part, consistent with federal Centers of Medicare and Medicaid Services 1135 waivers, to remove the requirement that a nurse aide must complete the nurse aide training within 90 days of commencing employment, provided that the long-term care facility ensures that the individual working as a nurse aide is competent to provide nursing and nursing related services and demonstrates competency in skills and techniques necessary to care for residents' needs.

All applicable statute, regulations and guidance not inconsistent with this Order remain in effect.

The Department of Public Health may issue further guidance as necessary.

This Order shall take effect immediately and remain in effect until the State of Emergency is terminated by the Governor, or until rescinded by me, whichever shall happen first.

IT IS SO ORDERED.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health

May 12, 2020