GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

EXECUTIVE ORDER

Executive Order 2020-28

On the Job Training for Assisted Living Facility Caregivers

WHEREAS, on March 11, 2020, a Public Health State of Emergency was declared in Arizona to prepare for, prevent, respond to, and mitigate the spread of the 2019 novel coronavirus (COVID-19); and

WHEREAS, COVID-19 is contagious and can be fatal; and

WHEREAS, the elderly population and those with serious underlying health conditions are most at risk from COVID-19; and

WHEREAS, during this pandemic, healthcare professionals play a crucial role; and

WHEREAS, an introduction of COVID-19 into nursing care institutions can result in an outbreak and have devastating consequences for both healthcare providers and residents; and

WHEREAS, A.R.S. § 26-303(E)(1) provides that, "The governor shall have complete authority over all agencies of the state government..." during a declared emergency; and

WHEREAS, A.R.S § 26-307(A) provides that state agencies, "...may make, amend and rescind orders, rules and regulations necessary for emergency functions…"; and

WHEREAS, staffing at assisted living facilities is critically important to ensure appropriate care is given to the most vulnerable; and

WHEREAS, A.R.S. § 36-446.15 requires that persons who desire to be caregivers at an assisted living facility complete training and competency requirements as determined by the Arizona Health Care Cost Containment System; and

WHEREAS, A.R.S. § 36-446.04(E) allows applicants to present information to the Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers to demonstrate that they meet the requirements for certification as a nursing care institution administrator or an assisted living facility manager; and

WHEREAS, no such similar provision is provided for caregivers; and

WHEREAS, many of the caregiver training programs are currently not providing training during the pandemic; and

WHEREAS, it is imperative that Arizona has enough assisted living facility caregivers to continue to care for some of the most vulnerable Arizonans.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this state including A.R.S. §§ 26-303 and 36-787, hereby order as follows:

1. The Arizona Health Care Cost Containment System shall permit and the Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers shall certify an individual who completes on-the-job training as provided in this order as if the applicant had fulfilled the requirements for training required by A.R.S. § 36-446.15.

2. In order to be certified, an individual shall:
    a. Complete 62 hours of on-the-job training under the supervision of a licensed healthcare professional. For the purpose of this section, a licensed healthcare professional is:
        i.) A licensed physician;
        ii.)A licensed registered nurse practitioner, registered nurse, or licensed practical nurse;
        iii.) A licensed physician assistant; or
        iv.) A certified assisted living facility manager with at least five years of experience.
    b. Pass the board required examination with a score of at least 75 percent within six months of training completion.

3. An assisted living facility planning to utilize on-the-job training shall provide a training plan based on board curriculum to the Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers for review prior to beginning any on-the-job training program.

4. Nothing in the order allows for a caregiver to perform any services at a nursing care institution or assisted living facility without first obtaining a fingerprint clearance card.

5. This order shall remain in place until further notice, and shall be considered for repeal or revision at least every two weeks following issuance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey

GOVERNOR

DONE at the Capitol in Phoenix on this fourteenth day of April in the Year Two Thousand Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fourth.

ATTEST:

Secretary of State