



Iowa Health Care Association
Iowa Center for Assisted Living
Iowa Center for Home Care

Summary of Relevant Provisions Governor's Proclamation - 4/10/20

Below is a brief summary of the provisions which are most relevant to our members along with brief comments or guidance from the IHCA about their implications. This is a summary so the descriptions herein are not reflective of the exact wording of the proclamation. All material in italics is a comment or note from the IHCA.

Section 22. Waives 481-58.11(1)c relating to requirements for CNA to the extent the CNA has received comparable training through a course approved by the Department of Inspections and Appeals (DIA) Or completed at least 20 hours of the state approved 75 hour nurse aide program and there is documentation and supervision to ensure competency in the tasks being performed.

This was previously waived by the DIA/DHS and this is likely just following up on that. This is a two-part waiver. First, you can temporarily use someone as a CNA who has not met this requirement so long as they have received training in a course approved by DIA. The only alternate training program I am aware of that has been approved by DIA at this time is the AHCA Temporary Nurse Aide program. We have links on our website to access this training program. Second, you may use a nurse aide who has completed at least 20 hours of the normal approved 75 hour course but had their course suspended do to COVID-19 closures. When using individuals as CNA's under either of these exceptions you will need to ensure you test and document their competency.

Section 23. Waives 481-58.11(1)(k) requiring nurse aides in a nursing facility who have received training other than the Iowa state approved program to pass a challenge examination approved by the DIA.

This means that those temporary nurse aides who go through alternate training such as the AHCA training do not have to take the test prior to working.

Section 24. Temporarily waives section 441-81.13(19)(e)(2)(2) which prohibits facilities from using someone as a CNA for more than four months to the extent the individual can demonstrate competency.

There has also been a federal blanket waiver on the 4-month requirement. Facilities should ensure they are thoroughly testing and documenting competency.

Section 25. Temporarily waives the section that requires the DIA to remove a CNA from the Direct Care Worker Registry if they have not completed any nursing or nursing related services in the previous 24 months.

Section 26. Temporarily waives 441-81.16(3) which sets forth the minimum requirements for DIA approval of a nurse aide training and competency program to the extent the program has been approved by CMS.

Section 27. Temporarily waives 481-57.19(2)(f) (prescriptions shall only be refilled with permission from resident's primary care provider); 481-58.21(6)e (A person who has written documentation of certification as a medication aide in another state may become a medication aide in Iowa by successfully completing a department-approved nurse aide competency examination and a medication aide challenge examination).

Section 28. Waives provisions relating to in person visitation for Residential Care Facilities.

Section 29. Waives certain provisions to the extent they require on site inspections of health care facilities.

This just waives certain provisions that would require an onsite vs remote inspection by DIA.

Section 30. Temporarily waives the requirement in 235B.3 relating to mandatory elder abuse reporting to the extent they are required to complete a training by DHS within six months of being hired.

Please note this only waives the requirement for new hires to take the DHS training but that they are still required to report any elder abuse, please make sure new staff understand their duties to report elder abuse.

Section 31. Temporarily waives certain statutory requirements in IA Code 137F.4 and IAC 481.30 requiring food establishments renew their licenses within 60 days of expiration.