

REIMBURSEMENT FOR NURSE AIDE TRAINING AND COMPETENCY EVALUATION (NATCEP) COSTS FREQUENTLY ASKED QUESTIONS AND KDOA'S RESPONSE

1) In what instances does a nursing home provider have to reimburse a Certified Nurse Aide (CNA) for nurse aide training costs?

Per Title 42 Code of Federal Regulations (CFR) 483.152(c)(1): "No nurse aide who is employed by, or who has received an offer of employment from, a facility on the date on which the aide begins a nurse aide training and competency evaluation program may be charged for any portion of the program (including any fees for textbooks or other required course materials)."

Per Title 42 CFR 483.152(c)(2): "If an individual who is not employed, or does not have an offer to be employed, as a nurse aide becomes employed by, or receives an offer of employment from, a facility not later than 12 months after completing a nurse aide training and competency evaluation program, the State must provide for the reimbursement of costs incurred in completing the program on a pro rata basis during the period in which the individual is employed as a nurse aide."

If the nursing home provider has hired the nurse aide or made the offer of employment *prior to* course completion, the nursing home provider must pay the full cost of the training program.

If an individual pays for the nurse aide competency evaluation program without being employed or having an offer of employment, then 42 CFR 483.152(c)(2) applies.

2) Does reimbursement include all course costs, including textbooks and other required materials?

NATCEP costs cover the following:

- Any portion of the training coursework;
- Fees for textbooks or other required course materials;
- Registering individuals on the nurse aide registry; and
- Administration of the competency examinations.

3) How does the nursing home provider get reimbursed by the state for training costs?

Each state administers its Medicaid Nursing Home Reimbursement Program according to its Medicaid State Plan. In Kansas, the nursing home reimburses the CNA for his or her training costs and then reports these costs on its Nursing Facility Financial and Statistical Report (Cost Report). These costs are then reimbursed as part of the nursing home provider's daily Medicaid rate. For more information, please see KDOA's provider website at http://www.aging.ks.gov/AdultCareHomes/RateSetting/RateSetting_index.html.

4) Do all facilities have to reimburse training costs or just Medicare/Medicaid facilities?

Only Medicare/Medicaid facilities are required to reimburse training costs. State regulations do not require licensed-only facilities to reimburse CNAs for NATCEP.

5) When does the nurse aide have to be reimbursed? Can reimbursement be spread over 12 months?

A nursing home provider who employs a nurse aide or makes an offer of employment *prior to* course completion must pay the full cost of the program up front. The nurse aide may not be charged for any portion of the program. If a nurse aide pays for the cost of the training and is not employed or have an offer of employment, federal regulations allow the provider to reimburse the costs “over a reasonable period of time while the individual is employed as a nurse aide.” Since reimbursable costs can be prorated over 12 months, it is assumed a reasonable period of time would not exceed a 12 month period from the date a nurse aide completed the program.

For example, if a nurse aide is not employed for six months after the course is completed, the nursing home provider would only be responsible for 50% of the cost. That cost can be prorated over the remaining six month period. If a nurse aide was not employed for three months, the provider would be responsible for 75% of the cost and it could be prorated over nine months.

When a nurse aide pays for non-facility-based training costs and then is immediately hired by a nursing home, it is generally expected that the provider will pay 100% of the costs at the time of hiring. However, the interpretation of the federal regulation allows the provider to reimburse the nurse aide over a reasonable period of time. It is assumed a reasonable period of time cannot exceed 12 months. This is based on the pro rata reimbursement rule based on a nurse aide being employed within 12 months of finishing the course.

6) Can the facility require that the aide work for them for a certain period of time once it has paid the CNA’s training costs?

No. Following is an excerpt from the Federal Register preamble for 42 CFR 483.152(c) dated 9/26/91:

Comment: One commenter asked that we allow facilities to have contracts that indicate that nurse aides will have to repay the facility for their training if they do not remain with the facility for a specified period of time.

Response: The cost of nurse aide training and competency evaluation is borne by the Medicare and Medicaid programs. It is inappropriate for a facility to ask a nurse aide to repay the facility for an expense for which it has already been paid.

7) What if the aide whose training costs have been paid leaves after one month of employment? Can the facility require the aide to reimburse the facility?

No. See response to questions #1 and #6.

8) How does the facility know if another facility has already reimbursed the aide?

This information should be obtained from the previous employer(s) as part of the employment background check completed on an applicant.

9) If the aide has an offer of employment not later than 12 months after completing the nurse aide course, can the reimbursement by the facility be prorated? If it has been six months since the course was completed, does the facility reimburse only 6/12ths of the cost?

Yes. Reimbursement for nurse aide training should be prorated over a twelve-month period of time in accordance with 42 CFR 483.152(c)(2), starting from the date the nurse aide completed the training program. If the nurse aide is employed six months after completing the NATCEP, the nurse aide should be reimbursed for the remaining six months of the 12-month period, or 50% of the cost.

10) What does “pro rata basis” as used in the cited regulation mean?

Pro rata basis means proportionate share. The regulation requires that the nursing home provide for the reimbursement of costs incurred on a pro rata basis for the twelve month period of time following completion of the NATCEP for which the CNA is employed. It is not required that a CNA be reimbursed for any prorated costs during the twelve-month period following completion of NATCEP for which the nurse aide was not employed by a Medicare and/or Medicaid-certified facility.

11) If a nursing home sponsors the course at no cost to the students and provides textbooks for students to use during the course, can the nursing home charge the nurse aide for the textbook if the nurse aide wants to retain it after the course is finished?

Yes.

12) If a nursing home sponsoring a course employs a student in the class as a trainee II, and the trainee II is not successful in the job, can the nursing home terminate the trainee II from the job and the course?

As the NATCEP could not have been completed, termination of employment is strictly a personnel issue and beyond the scope of nurse aide reimbursement regulations.

13) If the nursing home sponsoring a course employs a student in the class as a trainee II, and the trainee II terminates employment, must the nursing home let the individual continue in the class?

Termination of employment alone is not sufficient reason to prevent the trainee II from completing the course and would be at the discretion of the sponsoring nursing home.

14) What if a nurse aide trainee II working for a nursing home doesn't pass the test? Does the nursing home still have to reimburse the individual?

A nurse aide trainee II can be employed as a nurse aide trainee for only four months from the date of the beginning of the course. An individual who has taken the CNA course has up to three opportunities to successfully pass the test. If an individual does not pass the test, the person is not a CNA and would therefore not qualify for NATCEP reimbursement.

15) Some nursing facilities purchase books that nurse aides can use for the class and don't require that they be purchased. If a nurse aide decides they want to keep their book after class completion, do they have to pay for it?

Yes, if that is the nursing home's policy.

16) A nursing home administrator is under the impression that the nursing home only has to pay for the class for a nurse aide working in their facility and taking the class at the facility. The administrator didn't understand that they must pay for the class, regardless of whether it's at the facility or at a community college.

Federal regulation states that, if an individual who becomes employed by or receives an offer of employment from a facility not later than 12 months after completing a nurse aide competency evaluation program, the nursing home must provide for the reimbursement of costs incurred in completing the program on a pro rata basis during the period in which the individual is employed as a nurse aide.

However, it is a facility's right to determine where it will train its employees and therefore, a facility may elect not to hire an employee that has received training elsewhere.