

Nursing Assistants, Medication Aides, and the Approval of Nursing Assistant and Medication Aide Training Programs

216-RICR-40-05-22

Benefit Cost Analysis

March 2022

Background

On March 9, 2020, former Rhode Island governor Gina Raimondo declared a state of emergency for the State of Rhode Island due to the dangers to health and life posed by COVID-19, the new disease caused by the novel coronavirus SARS-CoV-2. Two days later, the World Health Organization (WHO) declared COVID-19 a global pandemic.

The health effects of COVID-19 are significant for both individuals and communities. As of March 2022, there have been nearly 79.5 million COVID-19 cases in the United States, of which, Rhode Island accounts for 359,470; and there have been 969,114 deaths due to COVID-19, of which 3,431 deaths occurred in Rhode Island.^{1,2}

COVID-19 has wreaked havoc on the entire health care system such as overcrowded hospitals, numerous and continuous outbreaks in long-term care facilities, burnt out staff and staffing shortages. Nursing assistants (NA) are a critical staffing component in the health care system as they are primarily responsible for a patient's activities of daily living such as eating, drinking, and dressing. Because of the extensive daily contact, NAs have with patients they play a critical role in patient care by keeping practitioners current about a patient's condition.

The COVID-19 pandemic placed a heavy burden on health care providers with a rise in the number of patients. As such, many practitioners are burnt out from caring for patients. Additionally, because of COVID-19 restrictions, many courses, trainings, and programs for health care workers have been disrupted which has prevented additional health care staff from entering the work force.

In October 2021, the Rhode Island Department of Health (RIDOH) promulgated an emergency regulation for the Nursing Assistants, Medication Aides, and the Approval of Nursing Assistant and Medication Aide Training Programs (216-RICR-40-05-22) that permitted emergency temporary NAs and was later amended in January 2022 to permit the classroom portion of the NA training to be done virtually and the clinical training to

¹CDC. (2020, March 28). COVID Data Tracker. Centers for Disease Control and Prevention. https://covid.cdc.gov/covid-data-tracker/#trends_dailycases

² R.I.D.H. (2021, December 15). Rhode Island COVID-19 Response Data. Rhode Island Department of Health. <https://ri-department-of-health-covid-19-data-rihealth.hub.arcgis.com/>

be provided by the employing facility. This switch would allow much of the Rhode Island health care system to quickly onboard much needed additional staff to care for patients.

Status Quo

Currently, the regulation does not allow for online training or an employing facility to train a nursing assistant. Under the current practice, this means it takes roughly 15, eight-hour days before a potential nursing assistant has completed their training. Additionally, prior to working, a nursing assistant must successfully pass the nursing assistant examination.

Rhode Island is already in a nursing shortage that is so dire that in the 2021 legislative season passed the Nurse Staffing act that required nursing homes to maintain a certain level of nursing staff at all times or face serious penalties. By not providing an option for online didactic training and clinical training by the employer further exacerbates the health care worker shortage. Without enough staff to properly care for patients, health care facilities could start refusing to admit patients to avoid harsh penalties from the nursing staffing requirement which would then leave patients with nowhere to go.

Proposed Regulation

The RIDOH is allowing for online nursing assistant training programs where a potential nursing assistant can complete the 80 hours of didactic training online and that an employing facility (e.g., nursing home, assisted living, hospital etc.) can provide the clinical training on site. The employing facility must provide clinical training in accordance with the existing § 22.12 of the Regulation.

Benefits

The COVID-19 pandemic propelled online learning even further as a result of numerous lockdowns. Nearly all primary and secondary schools in the United States were forced to adapt in person curriculum into an online format. This allowed students to continue learning safely at home. As RIDOH's NA regulations did not permit online learning, this stunted the ability for new NAs to complete the program and join the Rhode Island health care system.

By switching to online learning, it provides another avenue for NAs to join the profession. The online courses are required to cover the same topics as in-person classes. This additional option for NA's would allow students to complete the program on their own schedule and as a result may be able to join the health care workforce faster than in-person options that are offered. Additionally, the courses may be more affordable than those in-person as there is no need to have a physical location for the instructor and students to gather.

The clinical training is able to be completed by a potential employer. This provides a potential NA a guaranteed job after completion of the program and ensures they are trained in the manner of their chosen employer. While they must be trained in a

particular set of skills, each facility may have certain nuances to how these tasks are performed. This allowance ensures a NA conforms to the employer's standards for NAs. Additionally, health care facilities can have NA in training as an extra set of hands and can relieve the staffing shortage pressure.

Since this method was permitted under an emergency regulation, 259 NA's have joined the Rhode Island health care workforce and of those, 108 are currently active and 151 have gone on to gain full licensure. These additional NAs have reduced the pressure on the health care system and provided much needed resources for patients.

Costs

The costs to implement the proposed regulation would be for any nursing assistant training program in the state, that chooses to provide this option, to provide an online course or to reformat their in-person classwork in an online format. Nursing Assistant Training program would not be required to offer an online format.

The Community of College of Rhode Island (CCRI) is one of the most popular NA training programs in the state and costs \$1,035 for a 130-hour program that spans twelve weeks.³ As this is already an existing program, it is unlikely that new course work would need to be developed and would instead need to set up the digital infrastructure. These costs are difficult for RIDOH to determine; however, it would be anticipated as they would be minimal as CCRI already has the resources to provide online classes as many other courses they offer are available online. Expected costs would be for online classroom hosting, account costs for virtual conferencing (WebEx, Microsoft Teams, Zoom etc.).

For companies that are newly and exclusively online, costs can be estimated to be between \$5,500 to \$10,000 for the first year and can be lowered as many costs are one-time costs (cameras, curricular development etc.).⁴

Alternatives

Online and in-person learning are the two accepted methods known to RIDOH. The RIDOH considered the status quo but did not feel that it provides an alternative for those who prefer to learn in a different manner. As there are no other generally accepted methods of learning, the RIDOH could only consider the status quo or the proposed regulation. The proposed regulation strikes the appropriate balance by providing two training options for potential Nursing Assistants to gain the knowledge necessary to join the health care workforce.

Determination

³ CCRI. (n.d.). Certified Nursing Assistant (CNA). Community College of Rhode Island. Retrieved April 6, 2022, from <https://www.ccri.edu/workforce/workforce/healthcare/CNA.html>

⁴ Chris. (2021, March 9). How much does it cost to create an online course. Side Hustle Academy. Retrieved April 6, 2022, from <https://sidehustleacademy.com/how-much-does-it-cost-to-create-an-online-course/>

Based on the above analysis, RIDOH has determined that the current proposed regulation provides additional training options for potential nursing assistants and will improve the staffing shortage in Rhode Island.

Pursuant to R.I. Gen. Laws § 42-35-2.8, RIDOH has determined:

1. The benefits of the proposed rule justify the costs of the proposed rule; and
2. The proposed rule will achieve the objectives of the authorizing statute in a more cost-effective manner or with greater net benefits than other regulatory alternatives.

Therefore, RIDOH's proposed regulation is the most cost-effective solution as benefits outweigh the costs.