

**DEPARTMENT OF HEALTH SERVICES**

Licensing and Certification  
Aide and Technician Certification Section  
Enforcement Unit  
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**TO** Skilled Nursing Facilities  
Intermediate Care Facilities  
Home Health Agencies  
General Acute Care Hospitals  
Hospices

**INFORMATION ON RENEWALS** This notice contains updated information on certified nurse assistant (CNA) and home health aide (HHA) renewals and verification requirements.

**BACKGROUND** In our notice dated May 18, 1999, we notified you that:

- (1) Certificate extensions would be given to renewing applicants to avoid employment disruption and allow sufficient time to conduct criminal background checks.
- (2) Proof of successful competency testing would continue to be accepted for employment while the criminal background check was in process.
- (3) HHAs who received "lifetime" certificates prior to July 1, 1998, must be fingerprinted and apply for renewal by July 1, 2000 or **retraining** would be required.

As of February 1, 2001, a total of 146,838 CNA and HHA certificates have been issued with criminal background clearance. This represents 96% of the total applications processed.

For those individuals who have never received criminal background checks, renewal notifications are sent six months prior to the expiration date of their certificates. For those who have received criminal background checks, renewal notifications are sent three months before the expiration date of their certificates. They are asked to submit their renewal requirements to the Aide and Technician Certification Section (ATCS) in sufficient time for processing their renewal request (60 days for those with a clearance and 120 days without a clearance).

Unfortunately, many renewing applicants are submitting their renewal applications within a few weeks of the certificate expiration date. In these instances, it does not allow enough processing time to avoid disruption in their employment.

**NEW  
PROCEDURES  
FOR RENEWALS**

- (1) Certificate extensions to renewing applicants will not be given to those who have already received criminal background clearance. Instead, employers may allow CNAs and HHAs to continue working after their certificates have expired provided they retain a copy in their employee records of the renewal application and fee payment as proof of application submission.

Employers will be required to verify renewal with ATCS no later than 45 days after application submission to continue such employment.

There are still approximately 3,950 CNAs who, because of their training dates and birth years, will be subject to criminal background checks in 2001. They will receive extensions, as needed, upon receipt of renewal application, fee, and fingerprints or proof of live scan fingerprint submission.

- (2) HHAs who did not renew by July 1, 2000, have inactive certificates and are not employable. They have four years from July 1, 1998 (or July 1, 2002) to renew before they must retrain. HHAs who apply for renewal and undergo criminal background checks prior to July 1, 2002, will not be allowed to work until their criminal background check has been completed and a certificate is issued.

**VERIFICATION  
REMINDERS FOR  
FACILITIES AND  
NURSING  
AGENCIES/  
REGISTRIES  
PROVIDING  
TEMPORARY  
STAFF**

Title 42 Code of Federal Regulations (42 CFR) Section 483.75(e)(5) requires a long-term care facility, before allowing an individual to serve as a nurse assistant, to obtain verification from the ATCS Registry, that the individual has met training and/or competency evaluation requirements. This requirement is for facility **permanent** employees as well as **temporary** staff who work out of referrals from nursing agencies or registries.

**Methods of Verification:**

- ◆ Use the Interactive Voice Response Unit (IVRU) in ATCS to obtain certification status which will include criminal background Clearance and a confirmation number for documenting the verification. The IVRU is available Monday - Saturday, 6 a.m. to 8 p.m. by calling 916-327-2445 and selecting option 1. (No written verification will be generated by ATCS.)

- Verify recent completion of training and/or competency testing (42 CFR Section 483.75(e)(5)(ii)). Individuals are allowed to work by providing employers with proof of successful competency testing results. If the date of competency testing is more than 90 days old and the employee has not received certification, the employer must verify with a Registry representative, selecting option 6 (available Monday - Friday, 8 a.m. to 5 p.m., excluding holidays) that certification is not complete due to the criminal background check processing time delay.

The conversation with the Registry representative should be documented in the employee's file, that the individual is still employable. At this point, there are approximately 9,700 individuals who may be working with competency testing results statewide. As long as criminal convictions have not been identified prohibiting certification, these individuals are still employable.

- Facilities using nursing agencies/registries to supplement their CNA staff should obtain, **prior to facility assignment**, written confirmation from the agency/registry of current certification status or recent successful completion of competency testing as described above. Agencies and Registries should also be providing confirmation of health and TB screening to provide facilities assurance that the temporary staff are receiving the same screening as facility employees under Section 72535(a) and (b), California Code of Regulations (CCR) Title 22.

#### QUESTIONS

If you have any questions regarding information in this notice, you may contact the ATCS Registry at 916-327-2445 and a representative will assist you.

Sincerely,



Brenda Klutz  
Deputy Director  
Licensing and Certification