

**Council on Certified Nursing Assistants  
Conference Call**

# Meeting Minutes

June 12, 2014  
Telephone Conference Call  
Call in Information: 888-670-3525  
Public Code: 4764781998



Lois Gackenhimer, PhD Ed, MSN, RN,  
Chair

Joe Baker, Jr.  
Executive Director

### Call to Order

The meeting was called to order at 1:45pm by Lois Gackenheimer, Chair.

### Roll call

#### **Council Members Present:**

Lois Gackenheimer, PhD Ed, MSN, RN, Chair  
Amy Sutton, CNA

#### **Council Members Absent:**

Lydel Anthony Wright, LPN, RN

#### **Attorneys:**

Rachel Clark, Assistant Attorney General

#### **Board Staff:**

Sherri Sutton-Johnson, MSN, RN, Director of Nursing Education  
Sarah Starling, Program Operations Administrator  
Erin Pierce, BSN, RN, Nurse Consultant  
Amanda Bowen, Regulatory Supervisor

### A. Rule Revision

#### 1. 64B9-15.005 Standards for Certified Nursing Assistant Training Programs.

(1) Each training program shall have a governing body which has authority to conduct the certified nursing assistant training program, determine general policy, and assure adequate financial support.

(a) A certified nursing assistant training program shall have a written description of the program that includes purpose, goals, and objectives/outcomes, and meets applicable federal and state requirements. The program description must be consistent with the purpose, goals, and objectives/outcomes of the parent institution, if any.

(b) A certified nursing assistant training program utilizing external clinical facilities shall have a written agreement between the program and each external clinical facility. The agreement shall define the rights and responsibilities of the program and the clinical facility, including the role and authority of the governing bodies of both the clinical facility and the program.

(c) A certified nursing assistant training program shall include clinical experiences in health care facilities with a standard license or a conditional license without class I or class II deficiency.

(d) A certified nursing assistant training program shall have written policies and procedures that are consistent with its parent institution. The program shall provide a regularly scheduled review of the policies and procedures governing the following areas:

1. Student attendance;
2. Student grading, including program progression and completion criteria;
3. Student record maintenance;
4. Student fees and financial aid;
5. Student rights and responsibilities; and
6. Student grievance.

(2) Each certified nursing assistant training program shall appoint a certified nursing assistant

training program coordinator who shall be responsible and accountable for compliance with these rules.

(a) A program coordinator shall hold an active, clear Florida license to practice professional nursing, two years of professional nursing experience, and one year of experience in nursing home services, i.e., care of the elderly or chronically ill of any age including supervision of certified nursing assistants.

(b) A director of nursing in a nursing home-based program may assume the administration and accountability for a program as the program coordinator but shall not engage in classroom or clinical teaching in that program.

(c) A program coordinator assumes overall accountability for the following:

1. Acting as liaison with the Board related to the program's continuing compliance;
2. Participating in preparing and administering a financial plan;
3. Developing, implementing, and evaluating the training program;
4. Arranging for educational facilities, clinical resources, and faculty development;
5. Recruiting, supervising, and evaluating qualified instructors who meet criteria in subsection 64B9-15.005(4), F.A.C., and ensuring there are sufficient instructors to meet clinical ratios and instructional needs;
6. Providing admission and program completion requirements in written form to students prior to admission to the program;
7. Developing and implementing written policies necessary for the operation of the program;
8. Ensuring that instructors provide classroom instruction and clinical supervision to students at all times during scheduled program hours; and
9. Providing documentation of program completion to a student within 10 days of program completion.

(3) Each certified nursing assistant training program shall have one or more program instructors who shall be responsible and accountable for the instructional aspects of the certified nursing assistant training program.

(a) A program instructor shall hold a clear, active Florida license to practice professional nursing, have at least 1 year of clinical experience, and one of the following:

1. Have completed a course in teaching adults; or
2. Have at least 1 year of experience in teaching adults; or
3. Have at least 1 year of experience in supervising nursing assistants.

(b) A program instructor's responsibilities for classroom and clinical instruction include:

1. Participating in the planning of each learning experience;
2. Ensuring that course objectives/outcomes are accomplished;
3. Requiring a grade of 70% or greater on all theoretical examinations;
4. Requiring a passing grade for satisfactory completion of all skills evaluations;
5. Ensuring that students do not perform activities for which they have not received instruction and in which they have not been found competent;
6. Supervising and evaluating students giving care to clients in clinical areas;
7. Providing direct supervision in the classroom and in clinical experiences; and
8. Monitoring health care professionals who assist in providing program instruction.

(c) A program coordinator may be an instructor but must meet the standards established in paragraph (a) above.

(d) Other personnel from the health professions may supplement the program instructor; these supplemental personnel must have at least one year of experience in their field.

(4) The certified nursing assistant training program shall have sufficient staff, finances, resources, materials, space, and supplies to meet the purpose of the program and the needs of students, faculty, administration, and staff.

(a) Classrooms and skill laboratories shall meet requirements in Chapter 1013, F.S. and Chapter 6-2, F.A.C.

(b) Current reference materials shall be appropriate to the level of the student population and the curriculum.

(c) A training program shall provide a minimum clinical instruction ratio for professional nurse to

student of 1 to 15 for students caring directly for residents or clients.

(d) A training program shall provide the standardized curriculum under Rule 64B9-15.006, F.A.C., in compliance with federal guidelines.

(e) A training program shall plan and schedule clinical experiences according to the course curriculum.

(f) The training program shall include clinical experience for each certified nursing assistant student.

(g) The training program shall ensure that certified nursing assistant students are identified and treated as students and not utilized as staff during the instructional and clinical hours the students are enrolled in a certified nursing assistant training program.

(h) A training program shall provide instructional and education materials adequate to meet the needs of the program, the number of students, and the instructional staff. There shall be an adequate number of instructional tools and equipment for simulating resident care to provide ample opportunity for students to develop skill competency prior to direct care experiences.

(5) If the Board, through an investigation by the department, finds that an approved program no longer meets the required standards, it shall place the program on probationary status until such time as the standards are restored. If a program fails to correct these conditions within 90 days, the Board shall rescind the approval.

~~(a) The Board shall review a fraction of the training programs' passing rates. The fraction shall be at the rate of 1/12th every other month.~~

~~(b) Each program's passing rate will be reviewed every other year unless placed on probation.~~

(6) A training program must maintain a passing rate on certified nursing assistant examination for its graduates of not less than 10% below the state average as reported annually. If a program's passing rate drops below the standard for 12 months, the program must be reviewed by the Board. The Board shall place the program on probation, and if the passing rate does not meet the standard within one year, the Board shall rescind the program approval.

(a) An average passing rate of 0% shall not negatively impact programs during periods of zero (0) test takers.

(7) A training program shall permit the Board to conduct an on-site evaluation for initial Board approval and renewal of approval.

(8) The certified nursing assistant training program must report to the Board any changes in program coordinator or program location within 60 days.

(9) Certified nursing assistant training program approval shall not be transferred with a change of ownership. The new owner must apply per Rule 64B9-15.007, F.A.C.

(10) A certified nursing assistant training program shall notify the Board of any name change within thirty (30) days of the change.

(11) All certified nursing assistant training programs with current approval from the Department of Education will maintain approval until 180 days after the effective date of these rules. All programs must comply with the renewal requirements in Rule 64B9-15.007, F.A.C.

*Rulemaking Authority 464.202, 464.203 FS. Law Implemented 464.203, 464.2085 FS. History—New 5-25-03, Amended 8-10-08, 6-5-12,\_\_\_\_\_.*

Ms. Gackenheimer moved for Counsel to move forward with rule promulgation. Ms. Sutton seconded the motion, which passed unanimously.

Ms. Clark discussed the purpose of the proposed draft language based on current CNA programs and probationary status as it relates to their passing rates. Ms. Clark clarified that this rule applied to all CNA programs and would not negatively impact programs without test takers. Board staff discussed concerns with programs sitting on probation and possibly establishing a maximum number of extensions for probationary status if the program is unable to produce test takers. Ms. Clark verbally revised the proposed language to read:

“(a) An average passing rate of 0% shall not negatively impact programs currently not on probation during periods of zero (0) test takers.”

Ms. Gackenheimer moved for Counsel to move forward with rule promulgation with the verbal revisions as presented. Ms. Sutton seconded the motion, which passed unanimously.

#### Adjournment

There being no further discussion, the meeting adjourned at 1:56 pm.

For more information regarding board meetings please visit  
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or contact:

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