**Section 395.505 Facility Requirements for Certified Nursing Assistant Intern Program**

a) *A facility that seeks to train and employ a certified nursing assistant intern at the facility must:*

1) *Not have received or applied for a registered nurse waiver under Section 3-303.1 of the Nursing Home Care Act, if applicable;*

2) *Not have been cited for a violation, except a citation for noncompliance with COVID-19 reporting requirements, that has caused severe harm to or the death of a resident within the 2 years prior to employing a certified nursing assistant; for purposes of this paragraph, the revocation of the facility's ability to hire and train a certified nursing assistant interns shall only occur if the underlying federal citation for the revocation remains substantiated following an informal dispute resolution or independent informal dispute resolution;*

3) *Not have been cited for a violation that resulted in a pattern of certified nursing assistants being removed from the Health Care Worker Registry as a result of resident abuse, neglect, or exploitation within the 2 years prior to employing a certified nursing assistant intern;* (See 77 Ill. Adm. Code 955.310 and 955.320)

4) *If the facility is a skilled nursing facility, meet a minimum staffing ratio of 3.8 hours of nursing and personal care time, as those terms are used in subsection (e) of Section 3-202.05 of the Nursing Home Care Act* and in 77 Ill. Adm. Code 300.1230, *each day for a resident needing skilled care and 2.5 hours of nursing and personal care time each day for a resident needing intermediate care;*

5) *Not have lost the ability to offer a Nursing Assistant Training and Competency Evaluation Program as a result of an enforcement action;*

6) *Establish a certified nursing assistant intern mentoring program within the facility for the purposes of increasing education and retention, which must include an experienced certified nurse assistant who has at least 3 years of active employment and is employed by the facility;*

7) *Not have a monitor or temporary management placed upon the facility by the Department;*

8) *Not have provided the Department with a notice of imminent closure; and*

9) *Not have a termination action initiated by the federal Centers for Medicare and Medicaid Services or the Department for failing to comply with minimum regulatory or licensure requirements.* (Section 2310-434(l) of the Department of Public Health Powers and Duties Law)

b) *A facility that does not meet the requirements of* subsection (a) *shall cease its new employment training, education, or onboarding of any employee under the Program. The facility may resume its new employment training, education, or onboarding of an employee under the Program once the Department determines that the facility is in substantial compliance with* subsection (a). (Section 2310-434(m) of the Department of Public Health Powers and Duties Law)

c) A facility shall submit the following information to the Department:

1) *The number of certified nursing assistants employed* by the facility;

2) *The number of persons who began participation in the Program;*

3) *The number of persons who successfully completed the Program;*

4) *The number of persons who continue employment in a long-term care services or facility.* (Section 2310-434(n) of the Department of Public Health Powers and Duties Law);

5) Date of entry into a Basic Nursing Assistant Training Program (BNATP); and

6) Date of completion of BNATP, if the intern has already completed the program.

d) *Failure to submit the information required* in subsection (c) *shall result in suspension of the facility's Program* until the information is provided and accepted by the Department. (Section 2310-434(n) of the Department of Public Health Powers and Duties Law)

e) This Section will be repealed effective November 1, 2027.

(Source: Added at 48 Ill. Reg. 14747, effective September 25, 2024)