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AB-1495 Home health aides: training and certification. (2025-2026)

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Assembly Bill No. 1495

CHAPTER 400

An act to amend Section 1736.2 of, and to add Sections 1736.15 and 1736.16 to, the Health and Safety Code, relating to home health agencies.

[Approved by Governor October 06, 2025. Filed with Secretary of State October 06, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1495, Valencia. Home health aides: training and certification.

Existing law requires the State Department of Public Health to license and regulate home health agencies and to certify and regulate home health aides. Under existing law, a violation of these provisions or the rules and regulations promulgated under these provisions is a misdemeanor. Existing law specifically requires an applicant for certification as a home health aide to complete, among other requirements, a training program approved by the department. Under existing law, a certification for a home health aide is renewed every two years, and to renew an unexpired certificate, the certificate holder is required to apply for renewal on a form provided by the state, as specified.

This bill would require that either a registered nurse or a licensed vocational nurse, as specified, provide the classroom or supervised practical training required for qualification as a certified home health aide. The bill would require an online or distance learning training program for home health aide certification or in-service training for certified home health aides to include specific requirements, including, among others, requiring a trainee to sign an affidavit attesting under penalty of perjury to confirm their identity while completing the program. By expanding the crime of perjury, this bill would impose a state-mandated local program. The bill would require these training programs, among other things, to allow the department access to monitor online or distance learning sessions. This bill would require a certified home health aide, seeking to renew their unexpired certificate, to submit evidence of completing at least 12 hours of in-service training during each 12-month period of the certification. By expanding the duties on home health agencies, applicants for certification as a certified home health aide, or certified home health aides, this bill would expand an existing crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1736.15 is added to the Health and Safety Code, immediately following Section 1736.1, to read:

1736.15. (a) A person who provides classroom and supervised practical training for a home health aide, as mandated in Section 1736.1, shall be either of the following:

- (1) A registered nurse who possesses a minimum of two years nursing experience, at least one year of which is in home health care.
- (2) A licensed vocational nurse under the general supervision of a registered nurse who meets the requirements of paragraph (1).

(b) Notwithstanding any other law, a person described in subdivision (a) shall not be required to hold a teaching credential to provide instruction as part of a home health aide certification program, as described in Section 1736.1.

SEC. 2. Section 1736.16 is added to the Health and Safety Code, immediately following Section 1736.15, to read:

1736.16. (a) An online or distance learning training program for home health aide certification or in-service training shall comply with all of the following requirements:

- (1) Provide online instruction in which the trainee and their approved instructor are online at the same or similar times and allows them to use real-time collaborative software that combines audio, video, file sharing, or any other forms of approved interaction and communication.
- (2) Require the use of a personal identification number or personal identification information that confirms the identity of a trainee or instructor, including, but not limited to, having a trainee sign an affidavit attesting under penalty of perjury as to their identity while completing the program.
- (3) Provide safeguards to protect personal information.
- (4) Include policies and procedures to ensure that instructors are accessible to trainees outside of the normal instruction times.
- (5) Include policies and procedures for equipment failures, student absences, and completing assignments past original deadlines.
- (6) Provide a clear explanation on its internet website of all technology requirements to participate in and complete the program.
- (7) Provide the department with statistics about the performance of trainees in the program, including, but not limited to, exam pass rate and the rate at which trainees repeat each module of the program, and any other information requested by the department regarding trainee participation in and completion of the program.

(b) In addition to the requirements set forth in subdivision (a), an online or distance learning training program or in-service training for certified home health aides shall meet the same standards as a traditional, classroom-based program, and comply with any other standard established by the department for online or distance learning home health aide training programs. Notwithstanding any other law, the department may, without taking any regulatory actions pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, implement, interpret, or make specific this section by means of an All Facilities Letter (AFL) or similar instruction.

(c) As a condition of approval by the department, an online or distance learning training program or in-service training for home health aide certification shall provide the department with access rights to the program for the purposes of verifying that the program complies with all requirements and allowing the department to monitor online or distance learning sessions.

SEC. 3. Section 1736.2 of the Health and Safety Code is amended to read:

1736.2. (a) Certificates issued for certified home health aides shall be renewed every two years and renewal shall be conditioned on the certificate holder obtaining a criminal record clearance pursuant to Section 1736.6.

(b) Certificates issued to certified home health aides shall expire on the certificate holder's birthday.

(c) To renew an unexpired certificate, the certificate holder shall, on or before the certificate expiration date, apply for renewal on a form provided by the state department and submit evidence of completing at least 12 hours of in-service training during each 12-month period of the certification.

(d) The department shall give written notice to a certificate holder 90 days in advance of the renewal date and 90 days in advance of the expiration of the fourth year that an application has not been submitted, and shall give written notice informing the certificate holder in general terms of the provisions governing certificate renewal for certified home health aides. Nonreceipt of the

renewal notice does not relieve the certificate holder of the obligation to make a timely renewal. Failure to make a timely renewal shall result in expiration of the certificate.

(e) Except as otherwise provided in this article, an expired certificate may be renewed at any time within four years after its expiration on the filing of an application for renewal on a form prescribed by the department.

Renewal under this article shall be effective on the date on which the application is filed. If renewed, the certificate shall continue in effect until the date provided for in this section, when it shall expire if it is not again renewed.

(f) If a certified home health aide applies for renewal more than 30 days after expiration but within four years after the expiration, and demonstrates in writing to the department's satisfaction why the renewal application was late, then the state department shall issue a renewal. A suspended certificate is subject to expiration and shall be renewed as provided in this article, but this renewal does not entitle the certificate holder, while the certificate remains suspended, and until it is reinstated, to engage in the certified activity, or in any other activity or conduct in violation of the order or judgment by which the certificate was suspended.

(g) A revoked certificate is subject to expiration as provided in this section, but it cannot be renewed.

(h) A certificate that is not renewed within four years after its expiration cannot be renewed, restored, reissued, or reinstated except upon completion of a certification training program unless deemed otherwise by the state department if both of the following conditions are met:

(1) No fact, circumstance, or condition exists that, if the certificate were issued, would justify its revocation or suspension.

(2) The person takes and passes any examination that may be required of an applicant for a new certificate at that time, that shall be given by an approved provider of a certification training program.

(i) Certificate holders shall notify the department within 60 days of any change of address. Any notice sent by the department shall be effective if mailed to the current address filed with the department.

(j) Certificate holders that have been certified as both nurse assistants pursuant to Article 9 (commencing with Section 1337) of Chapter 2 of Division 2 and home health aides pursuant to this chapter shall renew their certificates at the same time on one application.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.