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Director and State Public Health Officer

State of California—Health and Human
Services Agency
**California Department of
Public Health**



EDMUND G. BROWN JR.
Governor

October 11, 2006

AFL 06-29

TO: ALL FACILITIES
SKILLED NURSING IN-HOUSE TRAINING PROGRAMS
NURSE ASSISTANT TRAINING SCHOOLS

SUBJECT: FOLLOW UP TO ALL FACILITY LETTER (AFL) 06-18: RESPONSIBILITY FOR NURSE ASSISTANT
ELECTRONIC FINGERPRINTING

As you know, Assembly Bill 1807 was passed by the California Legislature and signed into law by the Governor on July 12, 2006. It is the duty of the Department of Health Services, Licensing and Certification Program, Aide and Technician Certification Section (ATCS), as administrator of the nurse assistant certification program of the State of California to implement the provisions of this new law.

The Department understands the language of Health and Safety Code section 1338.5 to require that each health facility that is operating as a health facility (excluding facilities with licenses in suspense) and is used as a clinical skills site for nurse assistant certification training (either through operation of its own training program, or through a contract with another training program) shall arrange for and pay the cost of Live Scan services for those trainees. The Department has no authority to change the statutory requirements.

While the law specifically requires that the specified health facilities "*shall arrange for and pay the cost*" for the Live Scan services, we find nothing in the law to prohibit the health facility from receiving funds to make such payment from another source - including the training program - so long as such arrangement does not result in costs being passed through to the nurse assistant trainees.

If you have any questions, please contact Ley Arquisola, R.N., Chief, CNA/HHA/CHT Certification Unit at (916) 327-2445 or via email at cna@cdph.ca.gov. Thank you for your cooperation and we ask for your continued patience as ATCS implements this new process.

Sincerely,

Original Signed by Kathleen Billingsley, R.N.

Kathleen Billingsley, R. N.
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Page Last Updated : October 7, 2017