

**F729**

*(Rev. 208; Issued:10-21-22; Effective: 10-21-22; Implementation:10-24-22)*

**§483.35(d)(4) Registry verification.**

**Before allowing an individual to serve as a nurse aide, a facility must receive registry verification that the individual has met competency evaluation requirements unless—**

- (i) The individual is a full-time employee in a training and competency evaluation program approved by the State; or**
- (ii) The individual can prove that he or she has recently successfully completed a training and competency evaluation program or competency evaluation program approved by the State and has not yet been included in the registry. Facilities must follow up to ensure that such an individual actually becomes registered.**

**§483.35(d)(5) Multi-State registry verification.**

**Before allowing an individual to serve as a nurse aide, a facility must seek information from every State registry established under sections 1819(e)(2)(A) or 1919(e)(2)(A) of the Act that the facility believes will include information on the individual.**

**§483.35(d)(6) Required retraining.**

**If, since an individual's most recent completion of a training and competency evaluation program, there has been a continuous period of 24 consecutive months during none of which the individual provided nursing or nursing-related services for monetary compensation, the individual must complete a new training and competency evaluation program or a new competency evaluation program.**

**GUIDANCE §§483.35(d)(4)-(6)**

If the nurse aide provides documentation to verify that he or she performed nursing or nursing-related services for monetary compensation (including providing assistance with activities of daily living (ADL) care) for at least one documented day (e.g., 8 consecutive hours) during the previous 24 months, he/she is not required to take a new nurse aide training and competency evaluation program or a new competency evaluation program (NATCEP/CEP). It is not required that these services be provided in a nursing home setting so long as the nurse aide was performing nursing or nursing-related services, including assisting with ADLs, *for monetary compensation*. The State is required to remove the individual's name from the registry if the services are not provided for monetary compensation during the 24-month period.

***PROCEDURE***

*If concerns are identified with Nurse Aide Services at F725 and F726, review a minimum of five nurse aide personnel files including any specific staff members with whom concerns were identified.*

- *Review the nurse aide personnel folder to determine if the facility received registry verification that the individual has met competency evaluation requirements before the employee's start date unless an exception applies as noted in §483.35(d)(4).*
- *Review the nurse aide personnel folder to determine if the facility verified information from every State registry that the facility believes will include information concerning that individual before the employee's start date.*
- *If records reveal a nurse aide has not provided nursing related services for monetary compensation over a 24-month period, did the individual complete a new training and competency evaluation program?*