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To: Joy Lindo, Director of the Office of Legal and Regulatory Compliance, Office of the Commissioner New Jersey Department of Health

From: Alexis Bailey, NJBIA Vice President of Government Affairs

Date: January 27, 2023

RE: PRN 2022-153: DOH Rule Proposal Division of Certificate of Need and Licensing:
Standards for instructors of nurse aides in long-term care facilities

On behalf of our member companies that make NJBIA the largest, most impactful statewide association representing New Jersey businesses, I write to you in support of proposed rule number 2022-153 which would revise the regulatory provisions governing the approval of nurse aides in long-term care facility training programs.

We greatly appreciate the Department of Health responding to our petition for this rulemaking which we submitted to the Department in conjunction with the New Jersey Hospital Association, the Health Care Association of NJ, LeadingAge New Jersey and Delaware, the New Jersey Council of County Colleges and the NJ Council of County Vocational-Technical Schools in 2021.

Under the current regulatory framework, New Jersey's nurse aide instructor requirements are more stringent than the Centers for Medicare and Medicaid Services' standards. This makes the operation of nurse aide training programs particularly difficult in our state with no added value or benefit to our nursing homes, training programs or nurse aide candidates. Additionally, this has led to schools across the state having more applicants than available seats for CNA training programs due to the difficulty they currently face finding certified instructors.

The current rule proposal will remove these challenges while still maintaining high quality instruction for nurse aide candidates by bringing New Jersey in line with CMS standards. We greatly appreciate the Department streamlining this process and enhancing the pipeline for certified nurse aide instructors in New Jersey. This measure will be extremely helpful in combating some of the workforce challenges employers in direct care are currently experiencing and expand access to care for New Jerseyans.

Thank you for taking our comments into consideration. If you have any questions, I can be reached at abailey@njbia.org.