



Department of Health
and Human Services

Maine People Living
Safe, Healthy and Productive Lives

Department of Health and Human Services
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John E. Baldacci, Governor

Brenda M. Harvey, Commissioner

Date: February 23, 2009
To: Interested Parties
From: Catherine Cobb, Director
Division of Licensing and Regulatory Services
SUBJECT: **Proposed CNA Registry rules: 10-144 CMR Chapter 128, Rules Governing the Maine Registry of Certified Nursing Assistants.**
Comment deadline: Written comments accepted through Friday, March 27, 2009 at 5 pm. No public hearing.

The Maine Legislature has made a number of changes to the laws governing the CNA Registry since the CNA Registry rules were last amended in 2000. The attached Notice of Agency Rule-making identifies the public laws that have made changes to the Registry. The proposed rules replace the current Rules Governing the Maine Registry of Certified Nursing Assistants (CNA Registry).

The proposed rules amend the following provisions: the application and renewal process for placement on the Registry (Section 2); employment restrictions for crimes committed within the last 10 years (Sec. 2.5); requirement of CNA training programs to notify applicants about the employment restrictions (Sec. 3.2.1.2); the Bridge Examination process (Section 3.2.2); and the registry notations of convictions and substantiated complaints (Sections 4.3.6 and 4.3.7). A CNA with a disqualifying annotation may not work as a CNA, or as an unlicensed assistive personnel, for nursing facilities, hospitals, home health agencies, assisted housing programs, adult day services programs, personnel care agencies and placement agencies, or temporary nurse agencies (Sec. 2.5.4). As part of their application process, CNA training programs must secure, and pay for, a criminal background check on individuals who enroll in a training program (Sec. 3.2.1.3). The proposed rules include various technical, non-substantive changes relating to section numbering, intra-Departmental agency name changes, spelling, and usage.

The proposed rules are available on the Division of Licensing and Regulatory Services' website at http://www.maine.gov/dhhs/dlrs/public_hearings/home.html Call 207 287-9333 to have a paper copy of the rules mailed to you.