

April 24, 2020

To: All Level IV Assisted Housing Facilities

Re: Blanket approval to waive certification course completion within 120 days of hire for direct care staff

On March 15, 2020, Governor Janet T. Mills signed a *Proclamation of State of Civil Emergency to Further Protect Public Health* concerning the COVID-19 crisis. The Division of Licensing and Certification (“DLC”) recognizes that this crisis has strained staffing levels at AH facilities.

To allow AH facilities more flexibility in providing the required levels of care to their residents, **this letter constitutes DLC’s blanket waiver of the requirement for completion of a certification course within 120 days of hire for staff providing direct care to residents.** The requirement, waived by this blanket approval, is 10-144 CH 113 Section 13.6.1 of the State Regulations Governing the Licensing and Functioning of Assisted Housing Programs:

- 13.6.1 Within one hundred twenty (120) days of hiring, all staff, other than CNAs and licensed professional staff whose job responsibilities include direct service to residents for at least twenty (20) hours per week, shall successfully complete a certification course approved by the Department.

The effective date of this blanket waiver is March 1, 2020. This blanket waiver will end 60 days after Governor Mills declares the end of the current State of Emergency.

If your facility has already requested a waiver of 13.6.1 for this reason since March 1, 2020, please know that your request is **approved.**

Please note that approval of this waiver does not negate the Administrator’s responsibility to ensure that the individual providing direct care is qualified, competent, and performing duties consistent with the regulations and provision of law.

If you have any questions, please email them to DLRSinfo@Maine.gov.

Sincerely,



Heather Hyatt, LSW, Assisted Housing/Behavioral Health Program Manager
Division of Licensing & Certification

cc: Maine Long Term Care Ombudsman Office