

Requirements of Participation- Training Requirements Checklist

January 2017

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§483.95: Training Requirements.

The following are the requirements which need to be in your Policies and Procedures for this section of the Conditions of Participation and reflect items that must be added to or updated in your staff training programs. In addition, outlined below are the new and revised expectations for your training programs, as well as a new standard for which of your staff must be trained.

- Update your policies and procedures to ensure that your facility’s training requirements reflect the new standard of **who must be trained**: “all new and existing staff, individuals providing services under a contractual arrangement and volunteers, consistent with their expected roles.”
- Ensure your **definition of direct care staff** is aligned with the CMS definition: “Individuals who, through interpersonal contact with residents or resident case management, provide care and services to allow residents to attain or maintain the highest practicable physical, mental and psychosocial well-being.”
 - It might also be advisable to look at current job descriptions (e.g., dietary aide, billing, nurse aide) to assess which jobs meet this definition to ensure the required training is received by direct and non-direct care staff.
- The new rules expect facilities to utilize their annual facility assessment as a tool for determining the competencies and individual training needs of its staff.
- Revise current training program to ensure inclusion of the following topics for the above described individuals must include:
 - **Effective communications** is mandatory training for direct care staff
 - **Resident rights and facility responsibilities** to properly care of its residents as described in the Resident Rights section of the rules.
 - **Abuse, neglect and exploitation** including what constitutes abuse, neglect, exploitation and misappropriation of resident property under the Resident Rights section of the rules; procedures for reporting these incidents and dementia management and resident abuse prevention.
 - Note: “Exploitation” was added to the definitions around abuse. Add the new definition of exploitation to your policies and procedures related to abuse, as well as update your training programs to ensure education on its definition and where to report it. It is defined as, “taking advantage of a

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resident for personal gain through the use of manipulation, intimidation, threats, or coercion.”

- **QAPI and Infection Control:** Ensure that this is included in mandatory training and includes:
 - Outlining and informing staff of the elements and goals of the facility’s QAPI program
 - The written standards, policies and procedures of the facility’s infection prevention and control program
 - **Compliance and Ethics:** Ensure that each facility effectively communicates through a training program or other practical method, its standards, policies and procedures. For organizations with five or more facilities, this training must be conducted annually.
 - **In-Service Training for Nurse Aides:** In addition to all other training applicable to all staff, nurse aides must also have at least 12 hours per year of nurse aide training that ensures continuing competence, addresses any individual weaknesses, as identified in performance reviews and facility assessments; and specifically includes training in dementia management and resident abuse prevention. Training must also cover caring for individuals with cognitive impairments, where they provide services to this population. It may include training related to any special needs of the residents as determined by the facility staff.
 - **Behavioral Health:** This is a new requirement and the training must be consistent with the behavioral health services section of the rule (483.40) and items identified by the facility assessment.
 - **Feeding assistants must complete a state-approved training program** for feeding assistants prior to working as a paid feeding assistant. Policies must reflect that the facility cannot use an individual as a paid feeding assistant until this training is completed.
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- Develop new training programs that incorporate the required topics listed above.
 - Implement training on abuse, neglect, exploitation, dementia management.
 - Ensure this training covers the new term and definition of, “exploitation”
 - Identify current staff, contractors and volunteers who must now receive training and the topics that must be covered.
 - Ensure that dementia management training is provided to not just nurse aides but also all other direct staff. Note that CMS has indicated that current nurse aide

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training program or existing materials like “hand-in-hand” can be used for this purpose.

- Review records for all current paid feeding assistants to ensure compliance with the training requirement of completion of a state-approved training program and appropriate documentation is in the file.
- Watch for new surveyor interpretive guidelines on these requirements for further clarification on the new requirements.

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