

**UNLICENSED ASSISTIVE PERSON AND  
CERTIFIED NURSE AIDE  
IN NORTH DAKOTA COMPARISON:**

	<b>Unlicensed Assistive Person</b>	<b>North Dakota Certified Nurse Aide</b>
<b>REGULATORY AUTHORITY</b>	<ul style="list-style-type: none"> <li>• North Dakota Board of Nursing</li> <li>• ND Administrative Code, Article 54-07 Unlicensed Assistive Person</li> <li>• Individuals may be placed on the Board of Nursing registry either through competency evaluation by an employer or licensed nurse or through a national nurse aide competency evaluation testing program.               <ul style="list-style-type: none"> <li>-Application processed by North Dakota Board of Nursing for a fee of thirty dollars.</li> <li>-Renew every two years.</li> </ul> </li> <li>• North Dakota Board of Nursing recognizes the Health Department Certified Nurse Aide Registry. NDAC 54-07-01-03.</li> </ul>	<ul style="list-style-type: none"> <li>• The North Dakota Division of Health Facilities is designated by the Centers for Medicare &amp; Medicaid Services (CMS) for registration of CNAs.</li> <li>• Federal certification requirements for CNAs can be found in the Social Security Act at 1819(e)(2)(A) and at 1919 (e)(2)(A).</li> <li>• North Dakota Administrative Code, Chapter 33-07-06</li> <li>• Individuals may be placed on the Health Department registry after successfully completing a state approved competency evaluation program.</li> <li>• The federal regulations prohibit charging fees to the individual for placement of their name on the Health Department registry.</li> <li>• The Health Department registry is recognized by the Board of Nursing as specified in NDAC 54-07-01-03.               <ul style="list-style-type: none"> <li>-Renew every two years.</li> </ul> </li> </ul>
<b>DEFINITION</b>	<ul style="list-style-type: none"> <li>• Unlicensed assistive person means an assistant to the nurse who regardless of title is authorized by the board to perform nursing interventions delegated and supervised by a nurse.</li> </ul>	<ul style="list-style-type: none"> <li>• Certified nurse aide means any individual who has successfully completed the requirements for the Health Department approved nurse aide training and competency evaluation program, or department-approved competency evaluation program and is entered on the department's nurse aide registry.</li> </ul>
<b>SCOPE OF WORK</b>	<ul style="list-style-type: none"> <li>• A licensed nurse may delegate a nursing intervention to a competent unlicensed assistive person if the licensed nurse utilizes a decision-making process to delegate in a manner that protects public health, welfare, and safety.</li> <li>• Retain accountability for the action of self.</li> <li>• Not transfer the authority of a delegated nursing intervention to another unlicensed assistive person.</li> </ul>	<ul style="list-style-type: none"> <li>• The scope of work for a CNA includes infection control, safety and emergency procedures, promoting resident or patient independence, respecting resident rights, basic nursing skills, personal care skills, mental health and social service needs, care of the cognitively impaired resident or patient, basic restorative services, resident or patient rights, and communication and interpersonal skills.</li> </ul>

<b>DELEGATION</b>	<ul style="list-style-type: none"> <li>• NDAC Chapter 54-05-04 Standards for Delegation.</li> <li>• Unlicensed assistive persons complement the licensed nurse in the performance of nursing interventions but may not substitute for the licensed nurse. Unlicensed assistive persons are generally responsible to the licensed nurse to assist with client care but may be responsible to an individual directing his or her own care or to the legally responsible person directing an individual's care for services provided to that individual.</li> </ul>	<ul style="list-style-type: none"> <li>• Refer to specific healthcare facility rules for nursing services.</li> </ul>
<b>EMPLOYMENT</b>	<ul style="list-style-type: none"> <li>• Hospitals, Home Health</li> <li>• Assisted Living/Basic Care Facilities</li> <li>• Developmental Disabilities Facilities</li> <li>• Consumer Directed</li> </ul>	<ul style="list-style-type: none"> <li>• Medicare/Medicaid Nursing Facilities</li> <li>• Other healthcare facilities</li> <li>• Employment requirements to include at least eight hours of CNA duties in a 24 month period to maintain CNA certification (renewal process).</li> </ul>
<b>TRAINING PROGRAMS</b>	<ul style="list-style-type: none"> <li>• Supply a verification of competence assessment from employer/licensed nurse.</li> </ul>	<ul style="list-style-type: none"> <li>• 57 approved training programs.</li> <li>• Onsite review of each training program every two years</li> </ul>
<b>COMPLAINT PROCESS</b>	<ul style="list-style-type: none"> <li>• The ND Board of Nursing is required to investigate every complaint it receives. If the NDBON takes action against a UAP registration, that action is noted on the registry and is public record.</li> </ul>	<ul style="list-style-type: none"> <li>• According to federal regulations, when a CNA has had a substantiated finding of abuse, neglect, misappropriation of property or a criminal conviction, the CNA may not work in any nursing facility anywhere in the United States. A finding of abuse, neglect or misappropriation determined by the ND Department of Health, is noted on the registry.</li> </ul>
<b>STATISTICS</b>	<ul style="list-style-type: none"> <li>• 4400 active UAPs on NDBON registry Medication Assistant - 2100 Technician - 245</li> </ul>	12,500 active on Health Department registry
<b>VERIFICATION SYSTEM</b>	<ul style="list-style-type: none"> <li>• Facilities/employers can verify registry status for UAPs located at <a href="http://www.ndbon.org">www.ndbon.org</a>. The verification registration information generated from this system is considered primary source verification by the North Dakota Board of Nursing.</li> </ul>	<ul style="list-style-type: none"> <li>• Division of Health Facilities has an online CNA Registry system where inquiry or verification, name and address changes, and CNA renewals can be completed. Point your browser to <a href="http://www.ndhealth.gov/HF/">http://www.ndhealth.gov/HF/</a></li> </ul>
<b>CONTACT INFORMATION</b>	North Dakota Board of Nursing 919 South 7 <sup>th</sup> Street, Suite 504 Bismarck, North Dakota 58504 Phone 701-328-9788	Division of Health Facilities 600 East Boulevard Avenue Dept 301 Bismarck North Dakota 58505-0200 Phone 701-328-2353