



TEXAS & NEW MEXICO HOSPICE ORGANIZATION

FAQ: Certified Nurse Aide and Hospice Aide: What's what?

Disclaimer: The answers provided in this document are the result of the Texas and New Mexico Hospice Organization's research and analysis. If you have specific questions on rules and our interpretation, contact the Texas Health and Human Services Commission (HHSC) Regional or State Offices or call Licensing and Credentialing at (512) 438-2630.

Question: What is a Certified Nurse Aide (CNA)?

Answer: 26 Texas Administrative Code (TAC) Chapter §556.2 defines a nurse aide as "An individual who provides nursing or nursing-related services to residents in a facility under the supervision of a licensed nurse and who has successfully completed a Nurse Aide Training and Competency Evaluation Program (NATCEP) or has been determined competent by waiver or reciprocity. This term does not include an individual who is a licensed health professional or a registered dietitian or who volunteers services without monetary compensation."

Question: What programs are required to have CNA's?

Answer: CNA is a nursing facility requirement.

Question: Can a hospice provider choose to hire a person with a CNA certificate?

Answer: Yes. Hospice providers who chose to hire certified nurse aides as allowed under 42 CFR 418.76 (a) have one of three options.

42 CFR 418.76 (a) Standard: Hospice aide qualifications.

(1) A qualified hospice aide is a person who has successfully completed one of the following:

- (i) A training program and competency evaluation as specified in paragraphs (b) and (c) of this section respectively.
- (ii) A competency evaluation program that meets the requirements of paragraph (c) of this section.
- (iii) A nurse aide training and competency evaluation program approved by the State as meeting the requirements of § 483.151 through § 483.154 of this chapter and is currently listed in good standing on the State nurse aide registry.

A hospice provider can choose to hire a person that has a CNA certificate; but it is not a hospice requirement. If a hospice provider chooses to require its hospice aides to hold a nurse aide certification issued by HHSC through its staffing policies and the hospice aide job description, the hospice provider must ensure all CNA training and certification requirements are met and up to date. If an individual, employed as a hospice or home health aide, chooses to maintain a CNA certificate, regardless of the practice setting where he or she is currently employed, he or she must ensure all CNA training requirements are met and kept up to date. A hospice provider **and** individual who chooses to maintain the CNA certificate must remember to comply with the hospice aide requirements as well. **This is their highest priority.**

Question: What is the first step to becoming a CNA?

Answer: CNA applications are handled via TULIP. All nurse aides must first complete registration and log in steps. Then proceed to selecting the application type they are applying for. All nurse aides must first complete registration and log in and follow the steps in TULIP. Then proceed to selecting the application type they are applying for. Agency staff cannot do this on behalf of the C.N.A.

If you have questions or problems with TULIP you can call the IT Support Team at 512-438-2584. between the hours of 8am-5pm (excluding holidays).

Question: How do I learn about TULIP?

Answer: The TULIP user guide is a great resource and can be found on the TULIP landing page: <https://txhhs.my.site.com/TULIP/s/login/>. You can also take the TULIP Walkthrough Computer Based Training (CBT) – Overview, Registration and Login, CNA Application Renewal, Application for Examination, Facility Security, Requesting a Retest at: <https://apps.hhs.texas.gov/training/cbt/CNA/TULIP/>.

Question: Can the agency do the work for the CNA in TULIP?

Answer: **Per** credentialling staff at HHSC, the agency cannot do the applications and renewals for the staff. This is to be handled by the person seeking or renewing the certificate.

Question: Can an NF force a hospice to hire and only allow a C.N.A to enter the NF to provide services?

Answer: This is a yes and no answer. Part of the agreement between the hospice and NF delineates the services provided. If the hospice and NF agree that a C.N.A will come in to provide services, it **MUST** be stated within the agreement. The NF cannot, in absence of an agreement, state they will only allow a certain type of trained personnel in their facility. The hospice is still responsible for meeting **ALL** the needs of the NF resident receiving hospice services and is obligated as such to meet those needs. The hospice will determine the needs of the NF resident and how they will be met as identified on the plan of care.

Question: Must a CNA have a copy of their certificate to work?

Answer: HHSC's FAQ's state that normally, employers will require that the CNA present their certificate, so they may make a copy for their files. However, employability depends upon the status of the CNA certification. If the CNA is not in "Active" status on the Nurse Aide Registry, the CNA is not employable even if you have a copy of your certificate. <https://www.hhs.texas.gov/business/licensing-credentialing-regulation/long-term-care-credentialing/nurse-aide-registry>.

Question: There are two forms for certification and recertification; Form 5509 NAR and 5506 NAR. The 5509 NAR specifically addresses nursing facility. Can a hospice provider use the Form 5506 NAR for certification and recertification?

Answer: HHSC prefers that the hospice provider use Form 5506 NAR; however, they will accept the Form 5509 NAR. The forms can be accessed here: <https://www.hhs.texas.gov/business/licensing-credentialing-regulation/long-term-care-credentialing/nurse-aide-registry>.

Question: What rules apply to CNA's?

Answer: The following rules apply to CNA's:

- 26 TAC Chapter 556 Nurse Aides. The rules cover nurse aide training and competency requirements, the nurse aide registry, trainer requirements, competency evaluation, review, approval and withdrawal of a NATCEP, expiration of active status, waiver, reciprocity, and exemption and findings and inquiries.
- Texas Health and Safety Code Chapter 250 Nurse Aide Registry and Criminal History Checks of Employees and Applicants for Employment in Certain Facilities Servicing the Elderly, Persons with Disabilities, or Persons with Terminal Illness

The list of applicable rules for CNAs can be found at: <https://www.hhs.texas.gov/business/licensing-credentialing-regulation/long-term-care-credentialing/nurse-aide-registry>.

Question: I am required to send my proof of C.N.A. training via TULIP. Where do I go in TULIP to handle the submission as I cannot locate the area?

Answer: There is a way to submit this information. There could be issues with submitting.

HHSC IT has a new web form to report issues 24/7, TULIP users can access the form from the TULIP homepage.

- If you **have not** logged into TULIP and you need help with password reset or registration, you can report the issue here. <https://txhhs.my.site.com/TULIP/s/login1>
- If you **can** log into TULIP and still need additional help, look for the **Support option** in the menu.

HHSC IT also has deployed a new TULIP Support Helpdesk Call Center with a team ready to assist you. To access phone support, call **512-438-2584**.

- Hours of operation are 8:00 AM to 5:00 PM Central, Monday to Friday, excluding state and federal holidays- please note, that due to the new implementation of this call center, TULIP Support may be experiencing a high volume of calls and wait times may be long.

Question: Can a person with a CNA certificate obtain in-service education from any entity to meet the requirements in 26 TAC Chapter 556?

Answer: No. Individuals with a CNA certificate must receive 12 hours of the required 24 hours in-service education from a nursing facility, an approved NATCEP or provided by HHSC. Nurse aides renewing their certification are required to complete 24 hours of in-service education every 2 years. The other 12 hours of in-service may be completed in a healthcare entity, other than a facility, licensed or certified by HHSC; by the Department of State Health Services (DSHS); or by the Board of Nursing (BON). This may require travel for some hospice providers. HHSC will NOT accept training entities outside the list as it appears on the website.

The directory of approved NATCEP education programs in your area can be found on the HHSC Credentialing website: <https://www.hhs.texas.gov/business/licensing-credentialing-regulation/long-term-care-credentialing/nurse-aide-training-competency-evaluation-program-natcep>.

Question: Does HHSC offer any computer-based training for CNA's?

Answer: Yes. HHSC offers infection control computer-based training. Go to: <https://www.hhs.texas.gov/business/licensing-credentialing-regulation/long-term-care-credentialing/nurse-aide-registry>. This satisfies the annual in-service education requirement, which is part of the Certified Nurse Aide (CNA) renewal process.

C.N.A. in-service education is: <https://www.hhs.texas.gov/business/licensing-credentialing-regulation/long-term-care-credentialing/nurse-aide-service-education>.

There are also Joint Training Opportunities: <https://apps.hhs.texas.gov/providers/training/jointtraining.cfm>.

Question: Do CNA's have to continue to get recertified or is it a one-time deal?

Answer: Nurse aides are required to renew their certification every two years.

Question: Can a hospice provider provide in-service to a CNA?

Answer: Yes. If a hospice provider is licensed by HHSC they can provide in-service education to CNAs.

Question: Are there additional topics that CNA's must be trained on 26 TAC §556.3?

Answer: 26 TAC §556.3 lists the training topics which must include personal protective equipment (PPE) and infection control. See also PL 2022-04 Training Requirements for Nurse Aides and Nurse Aide Training and Competency Evaluation Programs: <https://www.hhs.texas.gov/sites/default/files/documents/pl2022-04.pdf> and PL 2024-07 Online Training Guidelines for Nurse Aide Trainees <https://www.hhs.texas.gov/sites/default/files/documents/pl2024-07.pdf>.

Question: What is the audit or credentialing process for the CNA's when they are applying for recertification?

Answer: Nurse aides are required to meet all renewal requirements listed at 26 TAC §556.9. Renewal information is within TULIP.

Question: What happens if the CNA is found to be non-compliant with the licensure rules?

Answer: A person with a CNA certificate is responsible for meeting all licensure requirements. If a nurse aide fails to meet renewal requirements or fails to submit an employment verification form, then their certification expires.

Question: If CNAs are found to be out of compliance, do they have the opportunity to correct or show compliance?

Answer: Yes, if a nurse aide does not meet renewal requirements at 26 TAC §556.9, then they may apply to re-take the nurse aide exam. Go to: <https://apps.hhs.texas.gov/training/cbt/CNA/TULIP/>.

Question: Is there an email or phone number to call if I have questions?

Answer: For questions regarding rules, please contact the nurse aide registry at NurseAideRegistry@hhs.texas.gov or call 512-438-2050.

Question: What is a hospice aide?

Answer: 26 TAC §558.2 defines a hospice aide as “a person working for an agency licensed to provide hospice services who meets the qualifications for a hospice aide as described in 26 TAC §558.843 of this chapter (relating to Hospice Aide Qualifications).”

Question: What other rules apply to hospice aides?

Answer: The hospice aide rules can be found under:

- 26 TAC Subchapter H Hospice, §558.843 Hospice Aide Qualifications: https://texas-sos.appianportalsgov.com/rules-and-meetings?chapter=558&division=5&interface=VIEW_TAC&part=1&subchapter=H&title=26.
- 42 Code of Federal Regulations (CFR) §418.76 Condition of participation: Hospice aide and homemaker services: <https://www.govinfo.gov/app/details/CFR-2024-title42-vol3/CFR-2024-title42-vol3-part418/context>.