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JUDITH M. PERSICHILLI, RN, BSN, MA
Commissioner

May 21, 2020

TO: Administrators of Long-term Care Facilities Licensed Pursuant to N.J.A.C. 8:39

FROM: Judith M. Persichilli, RN, BSN, MA
Commissioner

SUBJECT: Temporary Feeding Assistant Training

The outbreak of Coronavirus disease 2019 (“COVID-19”), a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus, has caused a great disruption to the delivery of healthcare in the State. The effects of the outbreak caused Governor Philip D. Murphy to declare a Public Health Emergency. One of the ramifications of the outbreak of COVID-19 is its effect on staffing in healthcare facilities.

Under 42 C.F.R. 483.160, the Centers for Medicare & Medicaid Services (CMS) allows long-term care providers to use dining assistants, who are also known as feeding assistants, to supplement the services of nursing staff. Pursuant to this CMS rule, in order for long-term care facilities to utilize a feeding assistant, the assistant must complete an 8-hour training course that is recognized by the State agency that regulates the facility.

On April 22, 2020, CMS issued a waiver from the requirements of 42 C.F.R. 483.160 for the duration of the federal emergency declared for the COVID-19 pandemic. Under this waiver, a State agency may recognize a one-hour temporary feeding assistant training program that incorporates the topics covered by the 8-hour training course as a substitute for the 8-hour training course required under the rule. The waiver also requires a long term care facility to conduct a competency assessment of the temporary feeding assistant trained under the one-hour program before allowing the feeding assistant to provide dining and feeding assistance to a resident and continues to prohibit a facility from using feeding assistants for complex residents with swallowing difficulties.

Pursuant to the CMS waiver, the Department has reviewed and is recognizing a one-hour online training course developed by the American Health Care Association (AHCA) and the National Center for Assisted Living (NCAL) for temporary feeding assistants. This free one-hour online training course is found at: <https://educate.ahcancal.org/products/temporary-feeding-assistant>

Upon successful completion of this course and the accompanying on-line written test, the successful individual may work as a temporary feeding assistant. Prior to commencing work as a temporary feeding assistant, the facility must receive the assistant's certificate of course completion issued by the AHCA and NCAL. In addition, the facility must have a registered nurse (RN) observe the temporary feeding assistant perform feeding assistance for a resident and document that the individual demonstrated successful skills, competency, and proficiency as a feeding assistant. Facilities shall retain this documentation. Additionally, the facility's temporary feeding assistants must be supervised by an RN.

These standards are imposed pursuant to the CMS waiver and shall remain in effect only for the duration of the Public Health Emergency.

Please remember to maintain contact with your local and/or County Office of Emergency Management during a State of Emergency. If you have any questions concerning this matter, please contact Ms. Jean DeVitto, Executive Director, Certificate of Need and Healthcare Facility Licensure Program at jean.devitto@doh.nj.gov.



A handwritten signature in blue ink, reading "Judith Grunich", is positioned above a solid horizontal line.

cc: Marcela Maziarz, Deputy Commissioner
Maria Christenson, Assistant Commissioner
Stefanie Mozgai, Assistant Commissioner
Jean DeVitto, Executive Director