

PUBLIC NOTICE

HEALTH

HEALTH SYSTEMS BRANCH

CERTIFICATE OF NEED AND LICENSING DIVISION

Notice of Action on Petition for Rulemaking

Approval of a Nurse Aide in Long-Term Care Facilities Training Program

**Eligibility Criteria for Instructor/Evaluators in Training Programs for Long Term
Care Facility Nurse Aides**

N.J.A.C. 8:39-43.10

Petitioners: Theresa Edelstein, Senior Vice President, Center for Partnerships Transforming Health, New Jersey Hospital Association, Princeton, NJ; Andrew Aronson, President and CEO, Health Care Association of New Jersey, Hamilton, NJ; James McCracken, President and CEO, LeadingAge New Jersey and Delaware, Hamilton, NJ; Chrissy Buteas, Chief Government Affairs Officer, New Jersey Business and Industry Association, Trenton, NJ; Aaron R. Fichtner, Ph.D., President, New Jersey Council of County Colleges, Trenton, NJ; and Judy Savage, Executive Director, New Jersey Council of County Vocational-Technical Schools, Trenton, NJ.

Take notice that the Department of Health (Department) has determined to grant the petition for rulemaking that is described below.

On March 29, 2021, the Department received a petition for rulemaking from the above petitioners requesting that the Department make certain amendments at N.J.A.C. 8:39-43.10, Approval of a nurse aide in long-term care facilities training program, at subsection (m). A notice acknowledging receipt of the petition was published in the

New Jersey Register on November 1, 2021, at 53 N.J.R. 1866(a). The petitioners requested, in essence, that the Department relax the requirements at N.J.A.C. 8:39-43.10(m) to mirror the nurse aide instructor requirements at 42 CFR 483.152(a)(5).

In accordance with the Administrative Procedure Act and the Office of Administrative Law's implementing rules at N.J.A.C. 1:30-4.2, the Department will initiate rulemaking within 90 days of granting this petition.

A copy of this notice has been mailed to the petitioners in accordance with N.J.A.C. 1:30-4.2.