

**HOUSE . . . . . No. 5128**

---

Sections 148 and 195 contained in the engrossed Bill making appropriations for the fiscal year 2023 (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment W of House, No. 5132). July 28, 2022.

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act to establish an incumbent health care worker certified nursing assistant (CNA) certification pilot program.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish an incumbent health care worker certified nursing assistant (CNA) certification pilot program, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. (a) Notwithstanding any general or special law to the contrary, the  
2 executive office of health and human services shall establish and implement an Incumbent  
3 Health Care Worker CNA Certification Pilot Program. The pilot shall offer paid training for  
4 incumbent health care workers with limited access to state-approved CNA certification training.  
5 The pilot shall provide flexibility to individuals who may have a difficult time attending day or  
6 evening classes while fulfilling their current work responsibilities.

7           (b) There is hereby established an Incumbent Health Care Worker CNA Certification  
8 Pilot Program Advisory Committee. The secretary of health and human services, or a designee,

9 shall appoint such advisory committee to represent significant constituencies and stakeholders,  
10 including, but not limited to, the chairs of the joint committee on labor and workforce  
11 development, representatives from community-based organizations and nonprofit service  
12 providers, a representative from the Commonwealth Corporation Foundation, the SEIU 1199  
13 Training and Upgrading Fund, the Massachusetts Senior Care Association, Inc., the  
14 Massachusetts Hospital and Health Systems Association, and other such stakeholders as the  
15 secretary of health and human services shall deem necessary. The advisory committee shall  
16 advise on matters and policies affecting the Incumbent Health Care Worker CNA Certification  
17 Pilot Program. The advisory committee shall supply constituent-focused labor market  
18 information, review general programmatic parameters and guidelines and assist with the  
19 identification of any issues and barriers to the pilot's efficiency and effectiveness. The advisory  
20 committee shall meet from time to time, but not less frequently than bi-monthly.

21 (c) Not later than 6 months and 1 year, respectively, after implementation of the pilot,  
22 the executive office of health and human services shall report on the results of the pilot and offer  
23 findings and recommendations for subsequent state action related to the pilot to the house and  
24 senate committees on ways and means, the joint committee on labor and workforce development  
25 and the joint committee on health care financing.

26 SECTION 2. Section 1 shall take effect on January 1, 2023.

27 SECTION 3. This act shall take effect on July 1, 2022.