SENATE DOCKET, NO. 2079 FILED ON: 1/20/2023

SENATE . . . . . No. 1336

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act expanding access to the certified nurses' aides certification process.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	
John F. Keenan	*Norfolk and Plymouth*	*1/20/2023*
Mindy Domb	*3rd Hampshire*	*7/11/2023*

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SENATE . . . . . No. 1336

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 1336) of Joanne M. Comerford and John F. Keenan for legislation to expand access to the certified nurses' aides certification process. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act expanding access to the certified nurses' aides certification process.

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

SECTION 1. Section 72W of chapter 111 of the General Laws is hereby amended by inserting after the sixth paragraph the following paragraphs:-

A nurses' aide who receives their training and works or expects to work in a facility whose resident population includes substantial numbers of non-English speaking residents shall be offered the option to take the nurses' aide certification exam in a language other than English, including, but not limited to, Portuguese, Haitian Creole, Spanish and Chinese; provided, however, that the department shall determine which additional languages the exam shall be offered in.

The department, in consultation with an advisory group of certified nurses' aides, including nurses' aides who are immigrants, and representatives of employers of nurses' aides selected by the commissioner, shall review the nurses' aide certification exam to ensure it is valid, appropriate, suitable and consistent with the current standards for nurses' aides. The

department shall remove any question from the exam that is ambiguous, unlikely to be understood, or which does not align with the standards of the department, including material in textbooks approved by the department. In developing the exam, the department shall make efforts to align the exam with best practices, including the national reporting system. The department shall make available a practice test to assist in the preparation for those planning to take the test. If commercially available tests do not meet the standards of this section, the department shall create its own test consistent with this section. The practice test and all training materials for the test shall be provided in multiple languages, including, but not limited to, English, Portuguese, Haitian Creole, Spanish and Chinese.

The department or its contractor shall provide score reports to students who do not pass the knowledge component of the exam. The report shall specify questions answered incorrectly and list topics requiring further study.

Nurses' aide students who satisfactorily pass the clinical component of the certification exam shall be permitted to work as a nurses' aid for no more than 6 months. The student shall take the knowledge component of the exam during the 6 months following passing of the clinical component of the exam. Students who do not satisfactorily pass the clinical component within 6 months shall not be permitted to work as a nurses' aid.

SECTION 2. Section 1 shall take effect no later than 180 days after the effective date of this act.