## 18VAC90-26-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Approval" means the process by which the board evaluates and grants official recognition to a nurse aide education program.

"Board" means the Virginia Board of Nursing.

"Client" means a person receiving the services of a certified nurse aide, to include a patient in a health care facility or at home or a resident of a long-term care facility.

"Clinical setting" means a location in which clinical practice occurs in a setting comparable to those in which the practice of a nurse aide may occur.

"Committee" means the Education Special Conference Committee, comprised of not less than two members of the board in accordance with § 2.2-4019 of the Code of Virginia.

"Conditional approval" means the time-limited status that results when a board-approved nurse aide education program has failed to maintain requirements as set forth in this chapter.

"Direct client care" means nurse aide care provided to patients or clients in a clinical setting supervised by a qualified instructor.

"Nurse aide education program" means a program designed to prepare nurse aides for certification.

"Nursing facility" means a licensed nursing home or an entity that is certified for Medicare or Medicaid long-term care reimbursement and licensed or certified by the Virginia Department of Health.

"NNAAP" means National Nurse Aide Assessment Program.

"Primary instructor" means a registered nurse who is responsible for teaching and evaluating the students enrolled in a nurse aide education program.

"Program coordinator" means a registered nurse who is administratively responsible and accountable for a nurse aide education program.

"Program provider" means an entity that conducts a board-approved nurse aide education program.

"Site visit" means a focused onsite review of the nurse aide education program by board staff for the purpose of evaluating program components, such as the physical location (skills lab,

classrooms, learning resources) for obtaining program approval, change of location, or verification of noncompliance with this chapter or in response to a complaint.

"Survey visit" means a comprehensive onsite review of the nurse aide education program by board staff for the purpose of granting continued program approval. The survey visit includes the program's completion of a self-evaluation report prior to the visit as well as a board staff review of all program resources, including skills lab, classrooms, learning resources, and clinical facilities, and other components to ensure compliance with this chapter. Meetings with administration, instructional personnel, and students will occur on an as-needed basis.

**Statutory Authority**

§§54.1-2400 and 54.1-3005 of the Code of Virginia.

**Historical Notes**

Derived from Virginia Register Volume 30, Issue 10, eff. February 27, 2014; amended, Virginia Register Volume 37, Issue 17, eff. May 12, 2021; Volume 39, Issue 12, eff. March 16, 2023.

## 18VAC90-26-20. Establishing and maintaining a nurse aide education program.

A. Establishing a nurse aide education program.

1. A program provider wishing to establish a nurse aide education program shall submit a complete application to the board at least 90 days in advance of the expected opening date.

2. The application shall provide evidence of the ability of the institution to comply with subsection B of this section.

3. Approval may be granted when all documentation of the program's compliance with requirements as set forth in subsection B of this section has been submitted and deemed satisfactory to the board and a site visit has been conducted. Advertisement of the program is authorized only after board approval has been granted.

4. If approval is denied, the program may request, within 30 days of the mailing of the decision, an informal conference to be convened in accordance with § 2.2-4019 of the Code of Virginia.

5. If denial is recommended following an informal conference, no further action will be required of the board unless the program requests a hearing before the board or a panel thereof in accordance with § 2.2-4020 and subdivision 11 of § 54.1-2400 of the Code of Virginia.

6. If the decision of the board or a panel thereof following a formal hearing is to deny initial approval, the program shall be advised of the right to appeal the decision to the appropriate circuit court in accordance with § 2.2-4026 of the Code of Virginia and Part 2A of the Rules of the Supreme Court of Virginia.

B. Maintaining an approved nurse aide education program. To maintain approval, the nurse aide education program shall:

1. Demonstrate evidence of compliance with the following essential elements:

a. Implementation of the board-approved curriculum as set forth in subsection A of 18VAC90-26-40 and subsection C of 18VAC90-26-50.

b. Maintenance of qualified instructional personnel as set forth in 18VAC90-26-30.

c. Classroom facilities that meet requirements set forth in subsection D of 18VAC90-26-50.

d. Maintenance of records as set forth in subsection A of 18VAC90-26-50.

e. Skills training experience in a clinical setting that has not been subject to penalty as provided in 42 CFR 483.151(b)(2) (Medicare and Medicaid Programs: Nurse Aide Training and Competency Evaluation and Paid Feeding Assistants, October 1, 2013 edition) in the past two years. The foregoing shall not apply to a nursing facility that has received a waiver from the state survey agency in accordance with federal law.

f. The use of a clinical setting in Virginia located 50 miles or more from the school shall require board approval.

g. Agreement that board representatives may make unannounced site visits to the program.

h. Financial support and resources sufficient to meet requirements of this chapter as evidenced by a copy of the current annual budget or a signed statement from the administration specifically detailing its financial support and resources.

i. Completion and submission of biennial survey visit review reports and program evaluation reports as requested by the board within a timeframe specified by the board.

2. Impose no fee for any portion of the program, including any fees for textbooks or other required course materials, on any nurse aide student who, on the date on which the student begins the program, is either employed or has an offer of employment from a facility.

3. Provide documentation that each student applying to or enrolled in such program has been given a copy of applicable Virginia law regarding criminal history records checks for employment in certain health care facilities and a list of crimes that pose a barrier to such employment.

4. Report all substantive changes in subdivision 1 of this subsection within 10 days of the change to the board to include a change in the program coordinator, primary instructor, program ownership, physical location of the program, or licensure status of the clinical facility.

5. Provide each student with a copy of the student's certificate of completion as specified in 18VAC90-26-50.

Statutory Authority

§§54.1-2400 and 54.1-3005 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 30, Issue 10, eff. February 27, 2014; amended, Virginia Register Volume 37, Issue 17, eff. May 12, 2021; Volume 39, Issue 12, eff. March 16, 2023; Volume 43, Issue 3, eff. November 5, 2026.

## 18VAC90-26-30. Requirements for instructional personnel.

A. The program coordinator or primary instructor shall:

1. Hold a current, unrestricted Virginia license or multistate licensure privilege as a registered nurse; and

2. Have two years of experience as a registered nurse and at least one year of direct client care or supervisory experience in the provision of long-term care services. Experiences may include employment in a nurse aide education program or employment in, or supervision of nursing students in, a nursing facility or unit, geriatrics department, chronic care hospital, home care, or other long-term care setting.

B. Program coordinator.

1. The program coordinator shall assume the administrative responsibility and accountability for the nurse aide education program and shall:

a. Ensure that the provisions of subsection F of this section are maintained;

b. Maintain records as required by subsection A of 18VAC90-26-50; and

c. Perform other activities necessary to comply with subsection B of 18VAC90-26-20.

2. The primary instructor may be the program coordinator, except in a nursing facility-based program.

3. The director of nursing services in a nursing facility-based program may serve as the program coordinator but shall not engage in the actual classroom, skills laboratory, or clinical teaching.

C. Primary instructor.

1.

The primary instructor is responsible for the majority of instruction and evaluation of students and shall not assume other duties while instructing or supervising students. A program may request an exception to the restriction on assumption of other duties. The executive director of the board shall be authorized to make the decision on requests for exception or may refer to an informal fact-finding committee for consideration as needed.

2. The primary instructor shall:

a. Participate in the planning of each learning experience;

b. Ensure that course objectives are met; and

c. Ensure that

students do not perform services for which they have not received instruction and been found proficient.

D. Other instructional personnel.

1. Other instructional personnel from the health professions with at least one year of

experience in their field may supplement the primary instructor in the classroom setting.

2. Other instructional personnel who assist the primary instructor in clinical instruction shall be registered nurses or licensed practical nurses.

a. A registered nurse shall:

(1) Hold a current, unrestricted Virginia license or multistate licensure privilege as a registered nurse; and

(2) Have had at least one year of direct client care experience as a nurse.

b. A licensed practical nurse shall:

(1) Hold a current, unrestricted Virginia license or multistate licensure privilege as a practical nurse; and

(2) Have had at least one year of direct client care experience as a licensed practical nurse.

3. Other instructional personnel shall provide instruction under the supervision of the primary instructor.

E. Prior to being assigned to teach in a nurse aide education program, all instructional personnel shall demonstrate competence to teach adults or high school students by one of the following:

1. Satisfactory completion of at least 12 hours of coursework that includes:

a. Basic principles of adult learning;

b. Teaching methods and tools for adult learners;

c. Evaluation strategies and measurement tools for assessing student learning outcomes;

d. Review of current regulations for nurse aide education programs;

e. Review of the board-approved nurse aide curriculum content; and

f. Review of the skills evaluated on the board-approved nurse aide certification examination; or

2. Have:

a. Experience in teaching the curriculum content and skills evaluated on the board-approved nurse aide certification examination to adults or high school students; and

b. Knowledge of current regulations for nurse aides and nurse aide education programs.

F. In order to remain qualified to teach the nurse aide curriculum, instructional personnel shall complete a refresher course every three years that includes a review of regulations for nurse aides and nurse aide education programs and the skills evaluated on the board-approved nurse aide certification examination.

G. When students are giving direct care to clients in clinical areas, instructional personnel must be on site solely to supervise the students. The ratio of students to each instructor shall not

exceed 10 students to one instructor in all clinical areas, including the skills laboratory.

Statutory Authority

§§54.1-2400 and 54.1-3005 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 30, Issue 10, eff. February 27, 2014; amended, Virginia Register Volume 37, Issue 17, eff. May 12, 2021; Errata, 37:18 VA.R. 2750 April 26, 2021; amended, Virginia Register Volume 39, Issue 12, eff. March 16, 2023.

## 18VAC90-26-40. Requirements for the curriculum.

A. Curriculum content. The curriculum shall include classroom, skills laboratory, and clinical instruction in the following:

1. Initial core curriculum. Prior to the direct contact with a client, a student shall have completed a total of at least 24 hours of instruction. Sixteen of those hours shall be in the following five areas:

    a. Communication and interpersonal skills.

    b. Infection control.

    c. Safety and emergency procedures, including dealing with obstructed airways and fall prevention.

    d. Promoting client independence.

    e. Respecting clients' rights.

2. Basic skills.

    a. Recognizing changes in body functioning and the importance of reporting such changes to a supervisor.

    b. Measuring and recording routine vital signs.

    c. Measuring and recording height and weight.

    d. Caring for the client's environment.

    e. Measuring and recording fluid and food intake and output.

    f. Performing basic emergency measures.

    g. Caring for a client when death is imminent.

3. Personal care skills.

    a. Bathing and oral hygiene.

    b. Grooming.

c. Dressing.

d. Toileting.

e. Assisting with eating and hydration, including proper feeding techniques.

f. Caring for skin, to include prevention of pressure ulcers.

g. Transfer, positioning, and turning.

4. Individual client's needs, including mental health and social service needs.

a. Modifying the nurse aide's behavior in response to the behavior of clients.

b. Identifying developmental tasks associated with the aging process.

c. Demonstrating principles of behavior management by reinforcing appropriate behavior and causing inappropriate behavior to be reduced or eliminated.

d. Demonstrating skills supporting age-appropriate behavior by allowing the client to make personal choices, and by providing and reinforcing other behavior consistent with the client's dignity.

e. Utilizing the client's family or concerned others as a source of emotional support.

f. Responding appropriately to the client's behavior including aggressive behavior and language.

g. Providing appropriate clinical care to the aged and disabled.

h. Providing culturally sensitive care.

5. Care of the cognitively or sensory (visual and auditory) impaired client.

a. Using techniques for addressing the unique needs and behaviors of individuals with dementia (Alzheimer's and others).

b. Communicating with cognitively or sensory impaired clients.

c. Demonstrating an understanding of and responding appropriately to the behavior of cognitively or sensory impaired clients.

d. Using methods to reduce the effects of cognitive impairment.

6. Skills for basic restorative services.

a. Using assistive devices in transferring, ambulation, eating, and dressing.

b. Maintaining range of motion.

c. Turning and positioning, both in bed and chair.

d. Bowel and bladder training.

e. Caring for and using prosthetic and orthotic devices.

f. Teaching the client in self-care according to the client's abilities as directed by a supervisor.

7. Clients' rights.

a. Providing privacy and maintaining confidentiality.

b. Promoting the client's right to make personal choices to accommodate individual needs.

c. Giving assistance in resolving grievances and disputes.

d. Providing assistance necessary to participate in client and family groups and other activities.

e. Maintaining care and security of the client's personal possessions.

f. Promoting the client's rights to be free from abuse, mistreatment, and neglect and the need to report any instances of such treatment to appropriate staff.

g. Avoiding the need for restraints in accordance with current professional standards.

8. Legal and regulatory aspects of practice as a certified nurse aide including consequences of abuse, neglect, misappropriation of client property, and unprofessional conduct as set forth in § 54.1-3007 of the Code of Virginia and 18VAC90-25-100.

9. Occupational health and safety measures.

10. Appropriate management of conflict.

11. Observational and reporting techniques.

12. Substance abuse and opioid misuse.

B. Unit objectives.

1. Objectives for each unit of instruction shall be stated in behavioral terms that are measurable.

2. Objectives shall be reviewed with the students at the beginning of each unit.

Statutory Authority

§§54.1-2400 and 54.1-3005 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 30, Issue 10, eff. February 27, 2014; amended, Virginia Register Volume 32, Issue 26, eff. September 21, 2016; Volume 37, Issue 17, eff. May 12, 2021.

## 18VAC90-26-50. Other program requirements.

A. Records. Original documentation shall be maintained for a period of two years following each site or survey visit, to include:

1. Each nurse aide education program shall develop and maintain an individual record of major

skills taught and the date of performance by the student. At the completion of the nurse aide education program, the program shall provide each nurse aide with a copy of this record and a certificate of completion from the program, which includes the name of the program, the board approval number, date of program completion, and the signature of the primary instructor or program coordinator.

2. A record of the graduates' performance on the state-approved nurse aide certification examination (NNAAP) shall be maintained.

3. A record that documents the disposition of complaints against the program shall be maintained.

B. Student identification. The nurse aide students shall wear identification that clearly distinguishes them as a "nurse aide student." Name identification on a badge shall follow the policy of the facility in which the nurse aide student is practicing clinical skills.

C. Length of program.

1. By May 12, 2023, the program shall be at least 140 clock hours in length, at least 20 hours of which shall be specifically designated for skills acquisition in the laboratory setting.

2. The program shall provide for at least 24 hours of instruction prior to direct contact of a student with a client.

3. Clinical training in clinical settings shall be at least 40 hours of providing direct client care. Hours of observation shall not be included in the required 40 hours of clinical training.

4. Time spent in employment orientation to facilities used in the education program must not be included in the 140 hours allotted for the program.

D. Classroom facilities. The nurse aide education program shall provide facilities that meet federal and state requirements including:

1. Comfortable temperatures.

2. Clean and safe conditions.

3. Adequate lighting.

4. Adequate space to accommodate all students.

5. Current instructional technology and equipment needed for simulating client care.

6. Equipment and supplies sufficient for the size of the student cohort.

Statutory Authority

§§54.1-2400 and 54.1-3005 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 30, Issue 10, eff. February 27, 2014; amended, Virginia Register Volume 37, Issue 17, eff. May 12, 2021; Volume 39, Issue 12, eff. March 16, 2023.

# 18VAC90-26-60. Requirements for continued approval.

A. Program review.

1. Each nurse aide education program shall be reviewed annually either by a survey visit by an agent of the board or by a written program evaluation. Each program shall be reviewed by a survey visit at least every two years following initial review or by a site visit whenever deemed necessary by the board to ensure continued compliance.

2. The program coordinator shall prepare and submit a program evaluation report on a form provided by the board in the intervening year that a survey visit is not conducted.

3. Any additional information needed to evaluate a program's compliance with regulations of the board must be submitted within a timeframe specified by the board.

B. Continued, conditional, or withdrawal of approval.

1. The board shall receive and review the report of the survey visit or program evaluation report and may grant continued approval, place a program on conditional approval, or withdraw approval.

a. Granting continued approval. A nurse aide education program shall continue to be approved provided the requirements set forth in subsection B of 18VAC90-26-20 are maintained.

b. Placing a program on conditional approval. If the board determines that a nurse aide education program (i) has not filed its biennial survey visit or program evaluation report; (ii) is unresponsive or uncooperative in the scheduling of the survey or site visit; or (iii) is not maintaining the requirements of subsection B of 18VAC90-26-20, as evidenced by the survey visit or program evaluation report, the board may place the program on conditional approval and the program provider shall be given a reasonable period of time to correct the identified deficiencies. Within 30 days of the mailing of a decision on conditional approval, the program may request an informal conference to be convened in accordance with § 2.2-4019 of the Code of Virginia.

(1) The board shall receive and review reports of progress toward correcting identified deficiencies. When a final report is received at the end of the specified time showing corrections of deficiencies, the board may grant continued approval.

(2) If the program provider fails to correct the identified deficiencies within the time specified by the board, the board may withdraw approval.

c. Withdrawing approval.

(1) If the board determines that a nurse aide education program is not maintaining the requirements of subsection B of 18VAC90-26-20, an informal conference will be convened in accordance with § 2.2-4019 of the Code of Virginia. If the informal conference withdraws approval, no further action will be required unless the program requests a formal hearing.

(2) The program provider may request a formal hearing before the board or a panel thereof

pursuant to § 2.2-4020 and subdivision 11 of § 54.1-2400 of the Code of Virginia if it objects to any action of the board relating to withdrawal of approval.

2. If the decision of the board or a panel thereof following a formal hearing is to withdraw approval or continue on conditional approval with terms or conditions, the program shall be advised of the right to appeal the decision to the appropriate circuit court in accordance with § 2.2-4026 of the Code of Virginia and Part 2A of the Rules of the Supreme Court of Virginia.

Statutory Authority

§§54.1-2400 and 54.1-3005 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 30, Issue 10, eff. February 27, 2014; amended, Virginia Register Volume 37, Issue 17, eff. May 12, 2021; Volume 43, Issue 3, eff. November 5, 2026.

## 18VAC90-26-70. Interruption or closing of a program.

A. Interruption of program.

1. When a program provider does not hold classes for a period of one year, the program shall notify the board immediately, shall be placed on inactive status, and shall not be subject to compliance with subsection B of 18VAC90-26-20.

2. At any time during the year after the program is placed on inactive status, the program provider may request that the board return the program to active status by providing a list of the admitted student cohort and start date.

3. If the program provider does not hold classes for two consecutive years, the program shall be considered closed and shall be subject to the requirements of subsection B of this section. In the event that a program desires to reopen after closure, submission of a new program application shall be required.

B. Closing of a nurse aide education program. When a nurse aide education program closes, the program provider shall:

1. Notify the board of the date of closing.

2. Submit to the board a list of all graduates with the date of graduation of each.

Statutory Authority

§§54.1-2400 and 54.1-3005 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 30, Issue 10, eff. February 27, 2014; amended, Virginia Register Volume 37, Issue 17, eff. May 12, 2021; Volume 39, Issue 12, eff. March 16, 2023.

## 18VAC90-26-80. Requirements for an approved advanced certification education program.

A. The advanced certification education program shall be approved by the Virginia Board of Nursing. An approved advanced certification education program shall also be an approved nurse aide education program as set forth in 18VAC90-26-20.

B. An advanced certification education program shall consist of a minimum of 140 hours, at least 20 hours of which shall be specifically designated for skills acquisition in the laboratory setting. There shall also be a minimum of 40 hours of clinical skills instruction in direct client care with onsite supervision by instructional personnel. When nurse aides are engaged in direct client care in the course of advanced certification training, the ratio shall not exceed 10 students to one instructor.

C. The instructional personnel in an approved advanced certification education program shall meet the requirements as set forth in 18VAC90-26-30.

D. The curricula of an approved advanced certification education program shall, at a minimum, meet the requirements of 18VAC90-26-40.

E. Each advanced certification program shall develop an individual record of major skills taught and the date of performance by the student. At the completion of the program, the program shall provide each nurse aide with a copy of this record and a certificate of completion, as specified in 18VAC90-26-50 A.

F. An advanced certification education program shall develop and submit to the board a competency evaluation based on the curriculum content required in 18VAC90-26-40. Such an evaluation shall include both a written test on the curriculum and an assessment of manual skills. A record of the reports of each graduate's performance on the nurse aide certification examination (the National Nurse Aide Assessment Program or NNAAP) shall be maintained for a minimum of three years.

G. Program review shall be in accordance with requirements of 18VAC90-26-60 and shall be conducted concurrently with the onsite review of the basic nurse aide education program. Loss of board approval for the basic nurse aide education program shall automatically result in the loss of approval for the advanced certification education program.

H. When an advanced certification education program closes, the program provider shall comply with 18VAC90-26-70 B.

Statutory Authority

§§54.1-2400 and 54.1-3005 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 37, Issue 17, eff. May 12, 2021.

## 18VAC90-26-90. Required curriculum content for an advanced certification education program.

A. In addition to the curriculum content specified in 18VAC90-26-40, an advanced certification education program shall include classroom, skills laboratory, and clinical instruction in the

following curriculum:

1. Leadership and mentoring skills.

    a. Principles of adult learning;

    b. Learning styles;

    c. Evaluation methods to assess learner knowledge;

    d. Communication techniques and communication barriers; emphasizing cultural diversity of coworkers and clients;

    e. Conflict management;

    f. Precepting and mentoring new certified nurse aides;

    g. Teamwork;

    h. Contributing to care plan development and implementation;

    i. Organizational responsibilities; and

    j. Principles of documentation.

2. Care of the cognitively impaired client.

    a. Signs and symptoms of dementia;

    b. Concepts and techniques for addressing the unique needs and behaviors of individuals with dementia, including agitation, combativeness, sundown syndrome, wandering, and forgetfulness;

    c. Basic concepts of communication with cognitively impaired clients, including techniques to reduce the effects of cognitive impairment;

    d. Basic concepts of behavior management with cognitively impaired clients; and

    e. Recognizing changes in the client's condition and reporting and documenting such changes.

3. Restorative care.

    a. Anatomy and physiology with emphasis on the effects of aging;

    b. Pathophysiology of common disorders of the elderly;

    c. Measures to assist clients with common medical problems;

    d. Recognizing changes in the client's condition and reporting and documenting such changes;

    e. Concepts to maintain or improve client mobility and ability to perform activities of daily living; and

f. Rehabilitation procedures.

4. Wound care.

a. Prevention, identification and treatment of Stage I and Stage II pressure ulcers;

b. Positioning;

c. Sterile and clean technique;

d. Dressing changes;

e. Concepts of hydration;

f. Nutrition and weight loss; and

g. Recognizing changes in the client's condition and reporting and documenting such changes.

B. Written objectives for each unit of instruction shall be stated in behavioral terms that are measurable and shall be reviewed with the students at the beginning of each unit.

Statutory Authority

§§54.1-2400 and 54.1-3005 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 37, Issue 17, eff. May 12, 2021.

## FORMS (18VAC90-26).

Application to Establish Nurse Aide Education Program (rev. 12/2020)

Nurse Aide Education Program – Skills Record (rev. 5/2015)

Nurse Aide Curriculum (rev. 2/2020)

Nurse Aide Education On-Site Review Report (rev. 11/2019)

Clinical Exception Request Form (rev. 9/2019)

Request for Faculty Exception (rev. 9/2019)

Statutory Authority

Historical Notes