

Status Update on PA Act 138 Pathways for Temporary Nurse Aides

In November 2020, the state enacted Act 138 of 2020 to provide Temporary Nurse Aides (TNA) working under the federal emergency blanket waiver with three different pathways to become a Nurse Aide on the PA Nurse Aide Registry.

However, on April 8, 2021, the federal Centers for Medicare and Medicaid Services (CMS) issued [guidance](#) clarifying that TNAs must still complete all areas of required training under the federal regulations (42 CFR § 483.152(b)) and successfully pass the state's competency exam to become Nurse Aides and be enrolled on the PA Nurse Aide Registry.

As a result of this new guidance, the Pennsylvania Department of Education (PDE) stopped accepting and processing TNA applications while the new guidance is reviewed to determine the impact on the Act 138 pathways. Applications that have been submitted are being held in queue pending the outcome of the review. TNA applications which were already processed and resulted in the TNA being enrolled on the PA Nurse Aide Registry are also under review based on this new guidance.

The review of the new guidance is being conducted in conjunction with the Departments of Health and Human Services. Additional information will be made available as soon as possible.

This review does not impact the ability of TNAs to continue to work during the federal emergency waiver period.

While the departments continue their review of the above process, individuals may still obtain placement on the PA Nurse Aide Registry by [completing a PDE-approved Nurse Aide Training and Competency Program \(NATCEP\) and passing the state competency exam](#) to become a Nurse Aide.

Additional questions should be emailed to the Pennsylvania Department of Education: RA-EDTempNurseAide@pa.gov.