



COMMISSIONER
Jon Weizenbaum

December 09, 2015

To: Assisted Living Facilities (ALFs)
Day Activity and Health Services (DAHS) Facilities
Home and Community Support Services Agencies (HCSSAs)
Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions (ICFs/IID)
Nursing Facilities (NFs) and Skilled Nursing Facilities (SNFs)

Subject: Provider Letter 15-33 –Temporary Method for Verifying Employability of Nurse Aides and Provider Expectations to Satisfy Regulatory Requirements

Pearson VUE had technical difficulties with its Credential Manager system from November 15 to December 8, 2015, which resulted in an inability to update the Employability Status Check Search website and Nurse Aide Registry (NAR). **The system is once again available to DADS employees and external customers.**

Because DADS was unable to process nurse aide documentation during the outage, the agency is working diligently to process all Employee Verification forms received during that time. To verify that a nurse aide renewal submitted during the outage has been processed, please check the Employability Status Check Search website at least weekly.

As a temporary measure, nurse aides whose certification expires on or before December 31, 2015, will remain employable for up to three months beyond the expiration date of their certification **IF** their employers submitted the proper Employment Verification form accurately and timely to DADS. This temporary certification extension will allow DADS time to process renewal information received from nurse aides and providers who were impacted by the system outage without penalizing the nurse aide or provider. **This temporary measure ends March 31, 2016.**

These temporary measures apply only to those nurse aides impacted by the Credential Manager system's outage. It does not apply to nurse aides who forgot to submit required renewal documentation.

For survey purposes, providers must maintain the following in the nurse aide files:

- a copy of the Employability Status Check Search results; and
- a copy of the Employee Verification form submitted to DADS.

Once the three months past the expiration date has occurred, a nurse aide's status must be active and employable in the Employability Status Check Search website, and the provider must maintain this documentation in the nurse aide's file.

As a reminder, certified nurse aides are responsible for ensuring that all necessary renewal documentation is submitted to DADS for certification status update. New information may be posted to the NAR and/or Employment Status Check Search websites at any time. Providers that employ nurse aides should check both websites frequently for updated information.

Providers are expected to have complied with all rules and statutes regarding the NAR and Employability Status Check searches during the outage including:

- [Texas Administrative Code, Title 40, Part 1, Chapter 94: Nurse Aides](#)
- [Texas Health and Safety Code, Title 4, Chapter 250: Nurse Aide Registry and Criminal History Checks of Employees and Applicants for Employment in Certain Facilities Serving the Elderly or Persons with Disabilities](#)
- [Texas Administrative Code, Title 40, Part 1, Chapter 93, Employee Misconduct Registry](#)
- [Texas Health and Safety Code, Title 4, Chapter 253, Employee Misconduct Registry](#)

Who to Call for Assistance

- Providers and nurse aides who have questions regarding this process may contact the NAR program at: credential@DADS.state.tx.us.
- Nursing home employees who attempted to register for the nurse aide exam between November 15 and December 7, 2015, but were unable to, may contact DADS for assistance at: credential@DADS.state.tx.us .
- Nurse aides who need information about renewing, transferring, retesting, requesting a duplicate certificate, or changing their name or address, should visit our [forms website](#). To speak with someone in the Nurse Aide Registry section, please call 512-438-2050.
- Questions about this letter can be directed to a policy specialist in the Policy, Rules and Curriculum Development section at (512) 438-3161.

Sincerely,

[signature on file]

Mary T. Henderson
Assistant Commissioner, Regulatory Services

MTH:cg