



# M e m o r a n d u m

To: ETP Assistant Director, Managers, Field Office staff, CRCP, Economic Development, Planning and Research, Legal      Date: December 12, 2005

From: Ada F. Carrillo, Acting Executive Director      File:

Subject: Guidelines for Nurse Training Pilot Program

Effective January 1, 2006, ETP will launch a pilot program for nurse training pursuant to UI Code, Section 10214.9. The intent of the legislation is to address the State's critical shortage of nurses and to increase advancement and job security by providing training to employed nurse assistants and caregivers to become licensed nurses. This memo provides guidelines for the Nurse Training Pilot Program. As we gain experience funding nurse training, these guidelines will be revised as necessary. If the pilot is successful, ETP may develop regulatory standards for licensed vocational nurse (LVN) training under its economic development funding category.

Nurse Training Pilot projects must meet all ETP requirements – unless otherwise stated. If some unusual circumstance arises, Managers should forward the issue to me with a recommendation.

## **Outline**

UI Code, Section 10214.9 authorizes the Panel to fund up to five licensed nurse training programs to train individuals who are currently working as nurse assistants or caregivers in a health facility and who are enrolled in an approved nurse training program to become licensed vocational nurses (LVN). (For ETP purposes, approved means "accredited".) The projects will be funded under the Panel's *economic development* funding category (project code 687). Since trainees will upgrade from the occupation of nurse assistant or caregiver to LVN, the projects will be classified as *job creation*.

## **Eligibility**

Various contracting scenarios are possible. For example:

- 1) A single employer (i.e. a hospital) might be the contractor, provide the training directly, and employ trainees during and after training/retention; or,
- 2) An eligible contracting entity (i.e. a WIB) might be the contractor, subcontract training to a qualified provider (i.e. a community college); and, participating employers (i.e. hospitals) employ trainees during and after training/retention.

**Eligibility (continued)**

In all situations, the contractor, the training provider, participating employers, and trainees must meet specific eligibility criteria as identified.

**Contractor Eligibility**

- The contractor must be eligible to contract with the Panel, per UI Code, Section 10205(c).

**Training Provider**

- Nurse training programs are typically provided by community colleges, adult education, private schools, and hospitals. The California Board of Vocational Nursing and Psychiatric Technicians (BVNPT) oversees the accreditation of vocational nurse and psychiatric technician schools, including approval of faculty and facilities statewide. The BVNPT assigns “accredited” status to a nurse program meeting all regulatory requirements. (An accredited nurse training program may temporarily be assigned “provisional” status denoting test scores below the state average for program graduates. A program is then removed from provisional status after test scores are raised.) To qualify for ETP funding, a nurse training program must be accredited (or have provisional status). See BVNPT website [www.bvnpt.ca.gov](http://www.bvnpt.ca.gov), “California Accredited Schools” for a list of all accredited nurse training programs in the state.

**Employer Eligibility**

- Employers must be subject to the Employment Training Tax, per UI Code, Section 10201(b).
- Employers must meet the definition of a health facility as defined in the Health and Safety Code, Section 1250. In summary, a health facility is a facility that operates for the diagnosis, care, prevention, and treatment of human illness (physical or mental), including convalescence, and rehabilitation - to 1 or more persons who are admitted for a 24-hour stay or longer.
- Employers are not required to meet the Panel’s out-of-state competition eligibility requirements set forth in UI Code, Section 10200(1).

However, all participating employers must complete a new on-line certification statement form designed specifically for these nurse training projects: ETP100G. The ETP100G form captures minimal eligibility information (i.e. company name, address, CEAN, union information). ITU is in the process of programming the on-line ETP100G which will be completed prior to the January Panel meeting. (For your information, a draft copy of the form is attached to this message.)

**Trainee Eligibility**

- Trainee must be employed at the start of ETP-funded training by a for-profit hospital. Trainee must be employed as a nurse assistant or caregiver. (Nurse assistants are certified positions. Caregivers are not certified positions. For ETP purposes, both certified and non-certified classifications are acceptable for individuals participating in ETP-funded nurse training.)

**Trainee Eligibility (continued)**

- Trainee must be enrolled in an accredited licensed nurse training program with an eligible employer, and have completed the first 800 hours of the training program prior to participating in ETP-funded training.

After trainee completes 800 hours of a nurse training program, the Panel may fund up to 750 hours of the remaining program. (The minimum hour requirement for LVN training is 1,530 hours, thus, the Panel may essentially fund the last half of the training program.)

**Trainee Wages**

- The LVN minimum wage requirement must be the prevailing entry-level LVN wage customary for the employer; but, in no case shall it be less than the ETP Minimum Wage for new hires (exclusive of health benefits). (State average LVN wage is \$14 -18.)

The Panel shall waive this requirement, if the following conditions are met:

- 1) trainee earns at least 120 percent of the State minimum wage for at least the first 20 hours of work per week, during each week the trainee is enrolled in training; and,
- 2) training results in full-time employment customary for LVNs, with trainee earning at least the prevailing entry-level LVN wage customary for the employer and commensurate with wages in the area.

**Retention Requirements**

- After a trainee graduates from a nurse training program, the process for obtaining a vocational nurse license can take up to 20 weeks as follows:
  - 1) Applicant applies to take a vocational nurse licensure examination (NCLEX) administered by the National Council for State Boards of Nursing, Inc.
  - 2) Applicant receives approval to take the NCLEX exam.
  - 3) Applicant takes the NCLEX exam.
  - 4) Applicant is notified of exam results via mail.
  - 5) If applicant fails exam, they may retake the test as many times as necessary to pass. If applicant passes the NCLEX, they forward exam results with an application for a license to the BVNPT.
  - 6) Once the BVNPT receives and accepts the application for a license, the applicant name is posted on a web-site listing, authorizing applicant to begin working as an LVN while a license is being processed.
  - 7) License is mailed to applicant.

### **Retention Requirements (continued)**

An applicant is authorized to begin working as an LVN as soon as the BVNPT accepts and begins processing the person's application for a vocational nurse license. Therefore, for ETP purposes, retention may begin as soon as the ETP trainee is authorized to work as an LVN. (It's not necessary for the license to have been issued by BVNPT)

- Due to the nature of the LVN licensing process, it is understood that there will be a gap between the time that a trainee completes ETP training and begins the ETP retention period.
- For retention, trainee must be employed at least 35 hours per week with a single employer for a period of at least 90 consecutive days, or 500 hours within 150 calendar days with multiple employers.

### **Curricula**

- Per the BVNPT, an LVN provides basic bedside nursing care to clients under the direction of a physician or registered nurse. The LVN utilizes scientific and technical expertise and manual skills. Duties within the scope of practice of an LVN typically include, but are not limited to: provision of basic hygienic and nursing care; measurement of vital signs; basic client assessment; documentation; performance of prescribed medical treatments; administration of prescribed medications; and performance of non-medicated intravenous therapy and blood withdrawal. The LVN is commonly employed at acute medical/surgical hospitals; convalescent hospitals (long term care, skilled nursing); outpatient clinics; doctor's offices; and psychiatric hospitals.

All accredited licensed vocational nurse training programs consist of at least 1,530 training hours: 576 hours theory (including 54 hours of Pharmacology) and 954 clinical hours. At a minimum, all programs must include the following courses:

- Anatomy & Physiology
- Nursing Process
- Nutrition
- Maternity Nursing
- Medical/Surgical Nursing
- Leadership
- Psychology
- Communication
- Normal Growth and Development
- Nursing Fundamentals
- Gerontological Nursing
- Communicable Disease including Human Immunodeficiency Virus
- Pharmacology
- Patient Education
- Rehabilitation Nursing
- Pediatric Nursing
- Supervision

**Trainer-to-Trainee Ratio**

- Clinical nurse training must be provided at the trainer-to-trainee ratio authorized by the BVNPT, which is 1:15. There is no specific ratio for classroom training. (Note: It is customary to provide nurse training in a class setting at a rate of 1: 30-40.)

**Reimbursement**

- Nurse training will be reimbursed per ETP's standard fixed-fee rate for retraining, as applicable for single or multiple employers. However, if the training entity's standard rate (catalogue rate) for providing nurse training is less, the contractor will be reimbursed at the lesser cost.
- Advanced Technology (AT) fixed-fee rates do not apply for nurse training.
- Support costs do not generally apply for MEC nurse training projects. Given that trainees must be enrolled in a nurse program and employed prior to the start of ETP training, participating employers will be identified during project development, thus eliminating the need for recruitment activities and support costs. However, should a circumstance arise where a contractor will engage in recruitment activities and can justify the need, support costs may be negotiated during project development.
- Employers may not charge trainees to participate in any portion of ETP-funded training.