

21 NCAC 36 .0404 LISTING AND RENEWAL

(a) All nurse aide IIs, as defined in Rule .0403(b) of this Section regardless of working title, employed or assigned in a service agency or facility for the purpose of providing nursing care activities shall be listed on the Board of Nursing Nurse Aide II Registry and shall meet the following requirements:

- (1) successful completion of a Board-approved nurse aide II course or its Board-approved equivalent;
- (2) High School or High School Equivalency Diploma;
- (3) current listing as a nurse aide I on the DHSR Nurse Aide I Registry with no substantiated findings of abuse, neglect, exploitation, mistreatment, diversion of drugs, fraud, or misappropriation of client or employing facility property as recorded on the DHSR Nurse Aide I Registry or on the NC Health Care Personnel Registry; and
- (4) submission and approval of an application to the Board for placement on the Board of Nursing Nurse Aide II Registry prior to working as a nurse aide II.

The application shall be submitted with the required fee within 30 business days of completion of the nurse aide II course. Initial listing by the Board shall expire on the last day of the applicant's birth month of the following year.

(b) Nursing students currently enrolled in Board-approved nursing courses desiring listing as a nurse aide II shall submit:

- (1) an application and application fee;
- (2) current listing as a nurse aide I on the DHSR Nurse Aide I Registry with no substantiated findings of abuse, neglect, exploitation, mistreatment, diversion of drugs, fraud, or misappropriation of client or employing facility property as recorded on the DHSR Nurse Aide I Registry or on the NC Health Care Personnel Registry; and
- (3) verification completed by the nursing program director indicating successful completion of course work equivalent in content, clinical hours, and skill competency validation for that required of a nurse aide II.

(c) Registered nurses and licensed practical nurses who hold active, unencumbered licenses to practice in North Carolina may make application as a nurse aide II.

(d) An individual previously enrolled in a Board-approved nursing program leading to licensure a registered nurse or licensed practical nurse may list as a nurse aide II with no additional testing provided the student withdrew from school in good standing within the last 24 months and completed the equivalent content, clinical hours, and skills competency validation. Such individual shall submit an application as described in Paragraph (b) of this Rule. If the student was in good standing upon withdrawal from the school and withdrew from the school in excess of 24 months, the student shall successfully complete an entire nurse aide II course prior to being listed as a nurse aide II.

(e) Individuals who have completed a training course equivalent in content, clinical hours, and skills competency validation to the nurse aide II course may submit documentation of the same to the Board for review. If training is equivalent, the individual may submit the application with required fee and be listed on the Board of Nursing Nurse Aide Registry as a nurse aide II.

(f) An employing agency or facility may choose up to four nurse aide II tasks to be performed by nurse aide I personnel without the nurse aide I completing the entire nurse aide II course. These tasks shall be individual activities that may be performed after the nurse aide I has received Board-approved training and competency evaluation using nurse aide II education modules as defined in Rule .0403(b) of this Section.

- (1) The agency or facility shall be limited to selecting and implementing a maximum of four nurse aide II tasks for use throughout each agency or facility.
- (2) A nurse aide I who is trained and evaluated as competent to perform these limited nurse aide II tasks shall perform these tasks only in the specific agency or facility where the training and competency validation were completed; performance of these tasks by the nurse aide I shall not transfer to another healthcare setting.
- (3) Documentation of the training and competency evaluation shall be maintained for each nurse aide I who is approved to perform these nurse aide II tasks within the agency or facility.

(g) Each nurse aide II shall renew listing with the Board biennially on or before the listing period expiration date. The renewal application, posted on the Board's website at www.ncbon.com, shall be accompanied by the required fee.

- (1) After the nurse aide II listing expires, it will not be renewed unless the nurse aide II successfully passes a Board-approved competency evaluation or successfully completes an entire Board-approved nurse aide II course.

- (2) To be eligible for renewal, the nurse aide II shall have worked at least eight hours for compensation during the past 24 months performing nursing care activities under the supervision of a registered nurse.
- (3) Any nurse aide II who has had a continuous period of 24 months during which no nursing care activities were performed for monetary compensation but who has performed patient care activities for monetary compensation shall successfully complete the competency evaluation portion of the nurse aide II course and submit a renewal application and fee in order to be renewed on the Board of Nursing Nurse Aide II Registry.
- (4) A nurse aide II who has performed no nursing care or patient care activities for monetary compensation within the past 24 months shall successfully complete a Board-approved nurse aide II course prior to submitting the application for renewal.
- (5) A nurse aide II who has substantiated findings of abuse, neglect, exploitation, mistreatment, diversion of drugs, fraud, or misappropriation of client or employing facility property as recorded on the DHSR Nurse Aide I Registry or the NC Health Care Personnel Registry shall not be eligible for renewal as a nurse aide II.

History Note: Authority G.S. 90-171.19; 90-171.20(2)(4)(7)d,e,g; 90-171.37; 90-171.43(4); 90-171.55; 90-171.83; 42 U.S.C.S. 1395i-3 (1987);
Eff. March 1, 1989;
Amended Eff. July 1, 2010; November 1, 2008; August 1, 2005; August 1, 2002; July 1, 2000;
December 1, 1995; April 1, 1990;
Readopted Eff. January 1, 2019.