

ILLINOIS REGISTER

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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Long-Term Care Assistants and Aides Training Programs Code
- 2) Code Citation: 77 Ill. Adm. Code 395
- 3) Section Number: 395.170                      Adopted Action:  
Amendment
- 4) Statutory Authority: The Nursing Home Care Act [210 ILCS 45], the ID/DD Community Care Act [210 ILCS 47], and the MC/DD Act [210 ILCS 46].
- 5) Effective Date of Rules:
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 41 Ill. Reg. 14912; December 8, 2017
- 10) Has JCARE issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCARE been made as indicated in the agreements issued by JCARE? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking amended Section 395.170 to increase the ration of student-to-instructor for laboratory instructors by one from 15 to 16 students.
- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Elizabeth Paton  
Assistant General Counsel

ILLINOIS REGISTER

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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

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Division of Legal Services  
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The full text of the adopted amendment begins on the next page:

ILLINOIS REGISTER

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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 395  
LONG-TERM CARE ASSISTANTS AND AIDES TRAINING PROGRAMS CODE

SUBPART A: PROGRAM APPLICATION AND APPROVAL PROCESS

Section	
395.50	Definitions
395.55	Incorporated and Referenced Materials
395.100	Program Sponsor
395.110	Application for Program Approval
395.120	Review Process and Program Approval
395.130	Review of Approved Training Program
395.140	Inactive Status
395.150	Minimum Hours of Instruction
395.155	Train the Trainer Program (BNATP Only)
395.156	Train the Trainer Model Program (BNATP Only)
395.160	Instructor Requirements
395.162	Approved Evaluator (BNATP Only)
395.165	Program Coordinator (BNATP Only)
395.170	Program Operation (BNATP Only)
395.171	Health Care Worker Background Check
395.173	Successful Completion of the Basic Nursing Assistant Training Program
395.174	Successful Completion of the Direct Support Person Training Program
395.175	Program Notification Requirements (BNATP Only)
395.180	Department Monitoring (Repealed)
395.190	Denial, Suspension, and Revocation of Program Approval (BNATP Only)
395.200	Other Programs Conducted by Facilities (Repealed)

SUBPART B: TRAINING PROGRAM CURRICULA REQUIREMENTS

Section	
395.300	Basic Nursing Assistant Training Program
395.310	Developmental Disabilities Aide Training Program (Repealed)
395.320	Direct Support Person Training Program (BNATP Only)
395.330	Psychiatric Rehabilitation Services Aide Training Program
395.333	Waivered Psychiatric Rehabilitation Services Aide Training Program

ILLINOIS REGISTER

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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

SUBPART C: PROFICIENCY EXAMINATION

Section

395.400 Proficiency Examination (BNATP Only)

**AUTHORITY:** Implementing and authorized by the Nursing Home Care Act [210 ILCS 45], the ID/DD Community Care Act [210 ILCS 47], and the MC/DD Act [210 ILCS 46].

**SOURCE:** Adopted at 13 Ill. Reg. 19474, effective December 1, 1989; amended at 17 Ill. Reg. 2984, effective February 22, 1993; emergency amendment at 20 Ill. Reg. 529, effective January 1, 1996, for a maximum of 150 days; emergency expired May 29, 1996; amended at 20 Ill. Reg. 10085, effective July 15, 1996; amended at 22 Ill. Reg. 4057, effective February 13, 1998; amended at 25 Ill. Reg. 4264, effective March 20, 2001; amended at 26 Ill. Reg. 2747, effective February 15, 2002; ; amended at 26 Ill. Reg. 14837, effective October 15, 2002; amended at 37 Ill. Reg. 10546, effective June 27, 2013; amended at 42 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART A: PROGRAM APPLICATION AND APPROVAL PROCESS

Section 395.170 Program Operation (BNATP Only)

- a) A master schedule shall be submitted to the Department 15 business days prior to the start of the actual training program, in accordance with Section 395.110(b)(6).
- b) Any change in program content, objectives or instructors shall be submitted to the Department at least 30 days prior to program start date.
- c) Unscheduled changes in the master schedule shall be promptly reported to the Department.
- d) A BNATP shall require each student to show competency of Department-approved performance skills by hands-on return demonstration. The performance skills evaluation shall be conducted by an Approved Evaluator. If the program is facility-based, an Approved Outside Evaluator shall perform an additional evaluation of performance skills.
- e) The student-to-instructor ratio shall not exceed eight students per one clinical instructor and 16 students per one laboratory instructor.
- f) The BNATP shall provide access to medical equipment and supplies for student practice

ILLINOIS REGISTER

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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

and demonstration of the required skills outlined in the model program.

(Source: Amended at 42 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)