

Appendix G

CERTIFIED NURSING ASSISTANT GUIDELINES - AGE RESTRICTIONS, CBRFs, BACKGROUND CHECKS

Certified Nursing Assistant (CNA) Requirement. Administered by the Office of Caregiver Quality, Division of Quality Assurance in the Department of Health and Family Services (DHFS); governed by State and Federal regulations. **Any entity interested in delivering a Nursing Assistant program must secure approval from [DHFS](#).** SEE WI Administrative Code Chapter HFS 129.

CNA Age Restrictions. CNAs under 18 years of age must be supervised by a licensed practical nurse or registered nurse while performing CNA duties, other work activities are not restricted on the job. According to DHFS, “under supervision,” means immediately available to assist, such as working on the same floor, but not necessarily in the same room.

Community Based Residential Facilities (CBRFs). CBRFs are not required to have licensed practical nurses or registered nurses on the premises at all times; therefore they may not meet the above requirement for students under the age of 18. However, CNAs may work on site when the LPN or RN is on site as well. Additionally, a facility waiver of the 18 year old age requirement may be requested from the Division of Quality Assurance, DHFS, for students who are placed in CBRFs. For general information call (608) 266-8481

For waiver only contact: Colette Andersen, 608-243-2359. Use facility letterhead, the request must come from the facility. However the YA coordinator can assist. Mail to: Sue Blount, Assisted Living Regional Director, 2917 International Lane, Suite 300, Madison, 53704. Include reference to DHFS 83.13(2)(b).

Caregiver Law. This law mandates stringent background checks of persons who provide care for others or have access to people who receive care. For more detail regarding this law contact the Department of Health and Family Services Office of Caregiver Quality at <http://www.dhfs.state.wi.us/caregiver>

The Background Information Disclosure (BID) form gathers information as required by the Wisconsin Caregivers Background Check Law to help employers and governmental regulatory agencies make hiring, licensing, certification or registration decisions. Under the law, all youth apprenticeship students who have access to clients, except if the access is infrequent or sporadic and is not directly related to the care of the client, must complete a Background Information Disclosure form. A minor may sign their own Background Information Disclosure form without parent or guardian signature. Completed BID forms must be submitted to and reviewed by the employer **prior to** the student beginning at the worksite.

If the BID form **does not** indicate that the student is ineligible to be employed no further action must be taken by the employer. (Applies to students under 18 years of age) However, the employer may still require a complete Caregiver Background Check.

If the BID form indicates potential ineligibility (acts, crimes and/or offenses that are substantially related to the job or activity the student will be engaged in) the employer must obtain additional information that would include a criminal history search.

Employers are required to have a BID form on file for all students who will be at their site either as a paid employee or during their clinical experience. When completing the BID form please note there are two questions that require an answer **only** if the individual will be working for a *group family day care center or camp*.

Summary

- All students who provide direct patient care must complete a BID form
- The BID must be on file with the worksite before the student can start
- Background checks may not be automatically conducted on students under 18

DHFS Links:

[Caregiver Law](#)

[Nurse Aide Training](#)

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