



**STATE OF WASHINGTON**  
**DEPARTMENT OF SOCIAL AND HEALTH SERVICES**  
*Ageing and Long-Term Support Administration*  
*PO Box 45600, Olympia, Washington 98504-5600*

December 8, 2021

**AL TSA: NH #2021-091**

**CLARIFICATION REGARDING NURSE AIDE TRAINING AND COMPETENCY EVALUATION  
PROGRAM (NATCEP/CEP) WAIVER AND APPEAL REQUIREMENTS**

Dear Nursing Facility/Home Administrator:

The NATCEP/CEP is a federal requirement and is the standardized training program that all nurse aides must meet to work in a nursing home [Skilled Nursing Facility (SNF), Nursing Facility (NF), or a dually participating SNF/NF]. The Department of Social and Health Services (department) oversees the nursing home [NATCEP/CEP](#) approval process. This letter outlines when a nursing home may not operate a NATCEP/CEP program and how to apply for a waiver or appeal a decision to the department or Centers for Medicare and Medicaid Services (CMS).

A nursing home may not operate a NATCEP/CEP program for two years if the facility:

- Has been subject to an extended survey or partial extended survey;
- Has been assessed a Civil Money Penalty (CMP) of at least \$11,160 as adjusted by [45 CFR 102](#) in 42 CFR 483.151(b)(2)(iv) and (b)(3)(iii);
- Has been subject to imposition of a denial of payment, temporary manager, or termination;
- Has a temporary manager under [WAC 388-97-4620, Temporary Management](#); or
- Has a department issued waiver for licensed nursing requirements under [WAC 388-97-1080, Nursing Services](#).

There are times when a nursing home can apply to the department for a waiver or appeal to a department decision to deny or end a nursing home's NATCEP/CEP program. The department may approve a waiver if the department:

- Determines there is no other such program offered within a reasonable distance of the facility;
- Assures, through an oversight effort, that an adequate environment exists for operating the program in the facility; and
- Provides notice of such determination and assurance to the State Long-Term Care Ombuds.

A nursing home may apply to CMS for a waiver or appeal to operate a NATCEP/CEP program. CMS may approve the waiver if it determines that a CMP is no less than \$11,160 and the deficiency is not related to quality of care for residents (direct hands-on care and treatment that a health care professional or direct care staff furnished to a resident).

Please note that CMS makes the final waiver request determination after the state makes the recommendations to CMS based on the criteria listed above.

Dear NH Administrator: NATCEP/CEP Waiver & Appeal Requirements  
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If you have any questions, please contact Anne Richter, NATCEP Program Manager, at (360) 628-1352 or [anne.richter@dshs.wa.gov](mailto:anne.richter@dshs.wa.gov).

Sincerely,

A handwritten signature in black ink that reads "Mike Anbesse". The signature is written in a cursive, flowing style.

Mike Anbesse, Director  
Residential Care Services

*DSHS: "Transforming Lives"*