



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES

MARGARET M. O'NEILL BUILDING
410 FEDERAL STREET, SUITE 1
DOVER, DE 19901

VOICE: (302) 739-3620
TTY/TDD: (302) 739-3699
FAX: (302) 739-6704

MEMORANDUM

DATE: October 31, 2012

TO: Ms. Deborah Gottschalk, Chief Policy Advisor
Department of Health & Social Services

FROM: Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: 16 DE Reg. 371 [DLTCRP Proposed Nurse Assistant/CNA Training Reg.]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Long Term Care Residents Protection's (DLTCRP) proposal to adopt some discrete amendments to its regulation covering training and qualifications of nursing assistants and certified nursing assistants ("CNAs"). The proposed regulation was published as 16 DE Reg. 371 in the October 1, 2012 issue of the Register of Regulations. SCPD has the following non-substantive observations related to style and grammar.

First, in §1.0, definition of "CE Hour", consider the following revision: "CE Hour" means continuing education...instruction.". This would be consistent with the form used in the preceding definition of "CE Track". It would also conform to the Register of Regulations Delaware Administrative Code Drafting & Style Manual published at <http://regulations.delaware.gov/documents/drafting&stylemanual.pdf>. Section 3.1.2 of the Manual offers the following guidance on definitions: "Immediately after the defined word or term, insert the word "means". Parenthetically, the Division may wish to consider editing all the definitions in §1.0 for consistency. Some refer to "shall mean". Some refer to "means". Some refer to "are defined". Some lack a verb altogether.

Second, in §2.4, there is a plural pronoun ("their") with a singular antecedent (CNA). The Division could either substitute "CNAs" for "A CNA" or delete the word "their".

Third, in §2.4.1, the introduction should be amended as follows: "The CNA dementia specific training shall include:...". Compare references to "the CNA Training Curriculum Committee" (§2.1); and "CNA training program" (§3.1.6).

Fourth, in §3.2.11, substitute “pillows” for “pillow”.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed regulation.

cc: The Honorable Susan Del Pesco
Mr. Brian Hartman, Esq.
Governor’s Advisory Council for Exceptional Citizens
Developmental Disabilities Council
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