

2026 -- H 7938

LC005311

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO HEALTH AND SAFETY -- REGISTRATION OF NURSING ASSISTANTS --  
QUALIFYING LANGUAGE

Introduced By: Representatives Biah, Hull, Sanchez, Morales, Diaz, Cruz, Batista,  
Baginski, Alzate, and DeSimone

Date Introduced: February 27, 2026

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-17.9-5 of the General Laws in Chapter 23-17.9 entitled  
2 "Registration of Nursing Assistants" is hereby amended to read as follows:

3 **23-17.9-5. Qualifying examination.**

4 Nursing assistants as defined in § 23-17.9-2 who are employed or have had experience as  
5 a nursing assistant prior to the enactment of this chapter, and the effective date of the regulations  
6 promulgated in relation to this chapter, shall pass the appropriate level of examination administered  
7 by the department approved by the director in lieu of the training program. [The examination shall](#)  
8 [be offered and administered in both English and Spanish.](#) Exempt from the qualifying examination  
9 are home health aides/homemakers who have successfully passed the qualifying examination  
10 and/or successfully completed an approved home health aide/homemaker program under the  
11 provisions of chapter 17.7 of this title and the regulations promulgated in relation to that chapter.  
12 Also exempt from the qualifying examination are classes of individuals, regardless of employment  
13 setting, who are exempted from examination by federal statute or regulations and these exemptions  
14 shall be defined according to rules and regulations promulgated by the department of health.  
15 Successful completion of the qualifying examination and the provisions of this section shall be  
16 deemed satisfactory for employment as a nursing assistant. Unless exempted by rules and  
17 regulations promulgated by the department of health, each application must be submitted with a  
18 processing fee as set forth in § 23-1-54 to be paid by the employing facility or agency if the

1 applicant has been continuously employed by the facility for six (6) months prior to the application  
2 or by another responsible party as defined in rules and regulations promulgated by the department  
3 of health consistent with federal statutory and/or regulatory requirements; but, if the applicant is  
4 unemployed, to be submitted by the applicant. If the applicant shall be continuously employed by  
5 the same facility for six (6) months after the application, then the fee shall be directly refunded to  
6 the applicant by the facility or agency. If federal statutory or regulatory requirements mandate that  
7 the certifying agency conduct an examination of manual skills proficiency as a component of the  
8 examination process to meet minimal federal compliance, a manual skills proficiency examination  
9 may be required by rules and regulations promulgated by the department of health for all applicants  
10 not otherwise exempted from the examination requirements. If a manual skills proficiency  
11 examination is required to be conducted by the certifying agency as a component of the certifying  
12 examination, each application shall be accompanied by a fee as set forth in § 23-1-54 to be paid by  
13 the employing facility or agency if the applicant has been continuously employed by the facility  
14 for six (6) months prior to the application or by another responsible party as defined in rules and  
15 regulations promulgated by the department of health consistent with federal statutory and/or  
16 regulatory requirements; but, if the applicant is unemployed, to be submitted by the applicant. If  
17 the applicant shall be continuously employed by the same facility for six (6) months after the  
18 application, then the fee shall be directly refunded on a pro rata basis between months six (6) and  
19 twelve (12) to the applicant by the facility or agency.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- REGISTRATION OF NURSING ASSISTANTS --  
QUALIFYING LANGUAGE

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- 1           This act would require the examination for licensing of certified nursing assistants by the
- 2 department of health to be administered in both English and Spanish.
- 3           This act would take effect upon passage.

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