



May 9, 2022

## OPWDD Updated Guidance Regarding Abbreviated/Refresher Training and Recertifications

OPWDD adopted Section 14 NYCRR 633.27 to allow for certain flexibilities of the requirements set forth in sections 633.8, 633.14, 633.16 and 633.17 of this Part during periods of extreme staffing shortages, as determined by the Commissioner. Pursuant to Section 633.27, OPWDD's Commissioner may permit abbreviated training and/or approve the extension of recertification deadlines, as applicable, for direct support professionals employed in programs and facilities certified pursuant to Article 16 of the Mental Hygiene law. OPWDD's Commissioner has determined that such flexibilities are appropriate due to the current extreme staffing shortage.

The following guidance supersedes all previous guidance documents and is provided to offer relief and flexibility in agency training programs during the direct care hiring crisis.

### A. Trainings Requirements Pursuant to 14 NYCRR 633.8

So long as initial and annual trainings required by 14 NYCRR 633.8 contain the required elements, as set forth below, flexibilities in the provision of such training are available in the form of abbreviated training and alternate training delivery methods (e.g., webinars, video recording and self-certification documentation ("read and signs")). Agencies remain responsible for ensuring their staff develop the knowledge and skills required to successfully perform the duties of the position.

Initial trainings must support the NYS Direct Support Professional (DSP) Core Competencies, and must include:

- principles of human growth and development;
  - characteristics of the persons served;
  - promoting positive relationships;
  - abuse prevention, identification, reporting, and processing of allegations of abuse; laws, regulations and policies/procedures governing protection from abuse;
  - incident reporting and processing;
  - the agency's safety and security procedures (including fire safety); and
- other appropriate topics relative to the safety and welfare as may have been specified by the agency

Annual training topics must include:

- promoting positive relationships;
- abuse prevention, identification, reporting, and processing of allegations of abuse;
- laws, regulations and policies/procedures governing protection from abuse;
- incident reporting and processing;
- the agency's safety and security procedures (including fire safety).

**Extension of Recertification deadlines:** All recertification/annual training due dates are extended until March 31, 2023. Annual training should continue, and agencies should prioritize refresher training for staff based on the length of time since their last certification or recertification or based on evidence that a staff has demonstrated procedural, or policy errors and more timely retraining of that staff is indicated to mitigate risk.

#### **B. Tuberculosis Training Requirements Pursuant to 14 NYCRR 633.14**

So long as initial and annual trainings required by 14 NYCRR 633.14 contain the required elements, (namely, educating about the signs and symptoms of active pulmonary tuberculosis, as well as related, agency-specific policies and procedures), flexibilities in the provision of such training are available in the form of abbreviated training and alternate training delivery methods (e.g., webinars, video recording and self-certification documentation (“read and signs”)). Agencies remain responsible for ensuring their staff develop the knowledge and skills required to successfully perform the duties of the position.

**Extension of Recertification deadlines:** All recertification/annual training due dates are extended until March 31, 2023. Annual training should continue, and agencies should prioritize refresher training for staff based on the length of time since their last certification or recertification or based on evidence that a staff has demonstrated procedural, or policy errors and more timely retraining of that staff is indicated to mitigate risk.

#### **C. Abbreviated Trainings Requirements Pursuant to 14 NYCRR 633.17**

Agencies must continue to use the full OPWDD approved Medication Administration course for direct support professionals.

**Ongoing flexibilities:** Agencies may consider alternate delivery methods for staff training during the lecture portions of the training; however, all skills-based portions must be conducted in person for staff to be certified.

**Extension of Recertification deadlines:** All recertification due dates are extended until March 31, 2023. Annual recertifications should continue, and agencies should prioritize refresher training for staff based on the length of time since their last certification or recertification or based on evidence that a staff has demonstrated procedural, or policy errors and more timely retraining of that staff is indicated to mitigate risk.

Agencies should continue to follow medication administration reporting protocols to address staff medication errors.

A new OPWDD approved Medication Administration curriculum is expected to be available in the coming months. This curriculum is expected to require fewer training hours than the current curriculum.

#### **D. Modified Training Requirements Pursuant to 14 NYCRR 633.16**

**Ongoing flexibilities:** Agencies may use a targeted approach to staff training for Strategies for Crisis Intervention and Prevention-Revised (SCIP-R) or Positive Relationships Offer More Opportunities To Everyone (PROMOTE), as required under 633.16. Staff should only be trained to the level of certification that includes the physical intervention techniques necessary to implement the BSPs of individuals they will be supporting in the certified programs where they primarily work (e.g., SCIP-R

Core, PROMOTE Level 1). Agencies may consider alternate delivery methods for staff training during the lecture and small group activity portions of the training. For clarification, the SCIP-R manual does not identify a minimum class size. Consideration should be given to the interventions being practiced and assessed when determining the total number of class participants and instructors needed to hold the class. The maximum participant to instructor ratio remains 10:1.

If staff are not implementing a BSP that requires a restrictive physical intervention, they do not need to be trained in those techniques.

**Extension of Recertification deadlines:** All recertification due dates are extended until March 31, 2023. Annual training should continue, and agencies should prioritize recertification training for staff based on the length of time since their last certification or recertification or based on evidence that a staff has demonstrated procedural, or policy errors and more timely retraining of that staff is indicated to mitigate risk.

Please contact Talent Development and Training at [TalentDevelopment@opwdd.ny.gov](mailto:TalentDevelopment@opwdd.ny.gov) with any questions.