



April 14, 2023

OPWDD Updated Guidance Regarding Abbreviated/Refresher Training and Recertifications

Recognizing that providers certified by OPWDD were experiencing an unprecedented staffing shortage during and after the COVID-19 pandemic, on May 9, 2022, OPWDD issued guidance allowing flexibilities of the requirements set forth in sections 633.8, 633.14, 633.16 and 633.17 of Part 14 of the NYCRR. 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. Please note, to ensure staff maintain the required knowledge and skills outlined below, this will be the last extension of recertification deadlines.

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 June 30, 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.

Agencies that continue to work towards bringing staff into compliance with annual recertifications must develop a plan that outlines actions the agency will take to meet compliance targets by June 30,2023. Agencies must have this plan available onsite for OPWDD review when requested.

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 June 30, 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.

Agencies that continue to work towards bringing staff into compliance with annual recertifications must develop a plan that outlines actions the agency will take to meet compliance targets by June 30,2023. Agencies must have this plan available onsite for OPWDD review when requested.

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 June 30, 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.

Agencies that continue to work towards bringing staff into compliance with annual recertifications must develop a plan that outlines actions the agency will take to meet compliance targets by June 30,2023. Agencies must have this plan available onsite for OPWDD review when requested.

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 June 30, 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.

Agencies that continue to work towards bringing staff into compliance must develop a plan that outlines actions the agency will take to meet compliance targets by June 30,2023. Agencies must have this plan available onsite for OPWDD review when requested.

Please contact Talent Development and Training at TalentDevelopment@opwdd.ny.gov with any questions.