

From: Kathie Smith [<mailto:kathie@ahhcnc.org>]
Sent: Wednesday, June 28, 2017 1:08 PM
To: Deporter, Cindy <cindy.deporter@dhhs.nc.gov>
Cc: Hill, Greta D <greta.hill@dhhs.nc.gov>; Ervin, Clarence <Clarence.Ervin@dhhs.nc.gov>
Subject: Proposed home care licensure rules clarifications

Hi Cindy, Greta, and Clarence,

As I am reviewing the proposed Home Care rules and have heard from a Medicare certified Home Health provider with questions, I wanted to seek clarification on issues in the proposed licensure rules that need clarification in relation to the Medicare certified COP's. I know we discussed the issue with the therapy assessment for the In-home aide but I just wanted to confirm what we discussed and understood in the phone meeting so that we do not have to formally comment for clarification.

This is the information for clarification:

As we discussed during the phone meeting, in the In-home aide section .1107, in the proposed changes rules, (d) and (e), our understanding from the call was that a Medicare certified agency will be surveyed on the HH COP's which allow the therapist to provide the assessment and supervision for therapy only cases. We want to confirm that this is everyone's understanding going forward.

Also, as related to the plan of care in letter a, will the Medicare certified agency be surveyed on the COP's that apply to them regarding the plan of care. Below is what is proposed in the licensure rules.

- (a) **The plan of care shall be signed and dated by the registered nurse and the client or designee. A copy of the signed and dated plan of care shall be left in the home.**

In a Medicare certified agency- an RN supervisor does sign the overall POC - the 485 usually – but the patient does not sign it - Home Health plans of care change frequently based on MD orders and there would be no practical and cost efficient way to achieve the licensure rule for a home health agency.

For the aide assignment sheet, the HH COPs say the aide is assigned with written instructions and the new COPs allow other disciplines (see below) than an RN to assign tasks to the aide

(g) Standard: Home health aide assignments and duties. (l) Home health aides are assigned to a specific patient by a registered nurse or other appropriate skilled professional, with written patient care instructions for a home health aide prepared by that registered nurse or other appropriate skilled professional (that is, physical therapist, speech-language pathologist, or occupational therapist).

We just don't want there to be a conflict between the licensure rules and the COPs – and appreciate the assistance and clarifications.

Kathie Smith

Kathie Smith, RN
Vice President of State Relations, Home & Community Based Care
Association for Home & Hospice Care of NC
3101 Industrial Drive, Suite 204
Raleigh, NC 27609
919-848-3450 phone
919-848-2355 fax
kathie@ahhcnc.org
www.ahhcnc.org

Certified- Coaching Supervision, Elder Care and Work Balance, Integrated Chronic Care Specialist Trainer

Member- NCNA, Carepac, NC Nurses PAC

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