



Department
of Health

The Advanced Home Health Aide Initiative

Update to the Most Integrated Setting Coordinating Council

November 2, 2016

Legislation

- In 2011, the Medicaid Redesign Team's Workforce Flexibility and Change of Scope of Practice Work Group recommended that home health aides be authorized to assist with the administration of routine medications and to carry out an expanded range of tasks, upon assignment by a registered professional nurse
- Numerous proposals over the years culminated in Governor's Program Bill No. 28, which was passed by both houses of the Legislature in 2016 (A.10707/S.8110)
- The bill would authorize Advanced Home Health Aides with training to perform advanced tasks upon assignment by licensed registered professional nurses and under supervision by such nurses
- The goal of the legislation is to enable more people to live in home and community based settings and provide support to family caregivers and their loved ones

SED Regulations

- Under the bill, the State Education Department (SED) would issue regulations, in consultation with the Department of Health (DOH), specifying the types of advanced tasks that could be performed by Advanced Home Health Aides and setting forth qualifications, training and competency requirements
- Advanced tasks could be performed only under the direct supervision of a licensed registered professional nurse employed by a home care services agency, a hospice program or an enhanced assisted living residence
- In developing regulations, SED would consider the recommendations of a workgroup of stakeholders which was previously convened by DOH to provide guidance on these issues
- The bill would take effect 18 months after enactment, and no advanced tasks could be performed until the regulations are adopted, training programs are approved, and individuals complete the training and satisfy competency requirements pursuant to such regulations

DOH Regulations

- Effective April 1, 2018, the bill would require criminal history record checks for prospective hospice workers serving individuals at home (which are already required for home care services agencies and enhanced assisted living residences)
- The bill would add hospice programs and enhanced assisted living residences in the definition of “home care services entity” for purposes of including home health aides employed in those settings in the Home Care Registry
- Under the bill, DOH would issue regulations related to Advanced Home Health Aides and indicate within the Home Care Registry when a home health aide is qualified to serve as an Advanced Home Health Aide because he or she has satisfied all applicable training and competency requirements

Reports

- Under the bill, DOH, in consultation with SED, would report by September 1, 2016 on the recommendations of the previously convened workgroup
- DOH, in consultation with SED, would issue a report by October 1, 2022, describing the implementation of the Advanced Home Health Aide initiative (including information such as the number of Advanced Home Health Aides and the types of tasks they perform) and setting forth any recommendations
- The bill's provisions expire March 31, 2023 unless extended