

Federal Requirements for Certified Home Health Agency:

§484.105(b) Standard: Administrator.

§484.105(b)(1) The administrator must:

- (i) Be appointed by and report to the governing body;
- (ii) Be responsible for all day to day operations of the HHA;
- (iii) Ensure that a clinical manager as described in paragraph (c) of this section is available during all operating hours;
- (iv) Ensure that the HHA employs qualified personnel, including assuring the development of personnel qualifications and policies.

§484.105(b)(2) When the administrator is not available, a qualified, pre-designated person, who is authorized in writing by the administrator and the governing body, assumes the same responsibilities and obligations as the administrator. The pre-designated person may be the clinical manager as described in paragraph (c) of this section.

§484.105(b)(3) The administrator or a pre-designated person is available during all operating hours.

§484.115 (a) Standard: Administrator, home health agency.

§484.115(a)(1) For individuals that began employment with the HHA prior to January 13, 2018, a person who:

- (i) Is a licensed physician;
- (ii) Is a registered nurse; or
- (iii) Has training and experience in health service administration and at least 1 year of supervisory administrative experience in home health care or a related health care program.

§484.115(a)(2) For individuals that begin employment with an HHA on or after January 13, 2018, a person who:

- (i) Is a licensed physician, a registered nurse, or holds an undergraduate degree; and
- (ii) Has experience in health service administration, with at least 1 year of supervisory or administrative experience in home health care or a related health care program.

An “undergraduate degree” means a bachelor’s degree or an associate’s degree.

§484.105(c) Standard: Clinical manager.

One or more qualified individuals must provide oversight of all patient care services and personnel. Oversight must include the following—

- §484.105(c)(1) Making patient and personnel assignments,
- §484.105(c)(2) Coordinating patient care,
- §484.105(c)(3) Coordinating referrals,
- §484.105(c)(4) Assuring that patient needs are continually assessed, and
- §484.105(c)(5) Assuring the development, implementation, and updates of the individualized plan of care.

§484.115(c) Standard: Clinical Manager.

A person who is a licensed physician, physical therapist, speech-language pathologist, occupational therapist, audiologist, social worker, or a registered nurse.

State Requirements for Certified Home Health Agency:

763.11 Governing authority.

(b) To assist the governing authority with executing the responsibilities specified in subdivision (a) of this section, the governing authority shall:

(1) **appoint an administrator** responsible for the day-to-day management of the agency.

(i) The administrator, who may also be the supervising physician or registered nurse, as specified in paragraph (2) of this subdivision, shall be responsible for the organization and direction of the agency's ongoing functions through, but not limited to:

(a) implementation of an effective budgeting and accounting system;

(b) determination of the number and types of personnel needed to meet the agency's responsibilities and recruitment of qualified personnel;

(c) ensuring a planned orientation of new personnel and provision for appropriate, regularly scheduled in-service education related to personnel responsibilities;

(d) ensuring an annual evaluation of personnel performance;

(e) maintenance of ongoing liaison among the governing authority, the group of professional personnel appointed as specified in paragraph (13) of subdivision (a) of this section, and agency personnel; and

(f) ensuring availability of public information concerning the health care services which the agency provides, the geographic area in which these services are made available, the charges for the various types of services and the payment sources which may be available to pay for such services;

700.2 (21) **Certified home health agency administrator** shall mean a person who is responsible to the governing authority for the administrative operation of a certified home health agency and who meets the following minimum qualifications:

(i) is a licensed physician;

(ii) is a registered professional nurse; or

(iii) is a person who has training and experience in health services administration and at least one (1) year of supervisory or administrative experience in home health care or related health programs.

763.11 Governing authority. (b) To assist the governing authority with executing the responsibilities specified in subdivision (a) of this section, the governing authority shall:

(2) **employ a director of patient services** on a full time or part time basis who is responsible for clinical direction and supervision of patient care services. This person, or a qualified alternate, shall be available at all times during operating hours and shall participate in all activities relevant to the professional services furnished, including development of qualifications and the assignment of personnel; and

(3) delineate in writing the organizational lines of responsibility and accountability of the administrator, the supervising community health nurse or physician, the group of professional personnel appointed as specified in paragraph 13 of subdivision (a) of this section, other committees and agency personnel.

700.2 (20) **Director of patient services** shall mean a licensed and currently registered nurse who is responsible for clinical direction and supervision of patient care services. Such individual shall meet the following qualifications:

- (i) two years as a supervising community health nurse; or
- (ii) two years of home care nursing experience plus a masters degree in nursing, public health, business administration or another health related field.

700.2 (19) **A supervising community health nurse** shall mean a licensed and currently registered professional nurse whose primary functions are to supervise, instruct and guide nursing and auxiliary personnel in providing high quality nursing services. Such nurse shall have the following qualifications:

- (i) a baccalaureate degree in nursing or a health or human services field and two years' experience in home care; or
- (ii) the following combination of education, experience and/or training:
 - (a) four years' experience in home care; and
 - (b) six credit hours, or the equivalent, of education/training in public health and principles of management.

It is acceptable for the CHHA DPS and the CHHA Clinical Manager to be the same individual provided that he/she meets the qualifications for DPS as specified in the 700.2(b)(20) and fulfills all required responsibilities as specified in 763.11 (b) (2) and 484.105(c) clinical manager. The CHHA's job descriptions and organization chart should reflect compliance with these requirements as well.