



California
Department of
Health Services

SANDRA SHEWRY
Director

State of California—Health and Human Services Agency
Department of Health Services



ARNOLD SCHWARZENEGGER
Governor

March 23, 2005

AFL 05-08

TO: HOME HEALTH AGENCIES

**FROM: CALIFORNIA DEPARTMENT OF HEALTH SERVICES
LICENSING AND CERTIFICATION PROGRAM**

**SUBJECT: HOME HEALTH AGENCY PATIENTS RECEIVING CHORE SERVICES
EXCLUSIVELY**

On November 12, 2004, the Centers for Medicare and Medicaid Services (CMS) released Survey and Certification (S&C) Memorandum 05-06, "Application of the Home Health Agency (HHA) Conditions of Participation (CoPs) to Patients Receiving Chore Services Exclusively." The S&C clarifies CMS requirements related to the application of the Conditions of Participation for patients receiving chore services (services that are non-medical in nature). Per CMS, an HHA is not required to conduct comprehensive assessments for patients that receive chore services exclusively. These chore services are typically comprised of housekeeping, chore or companion services. The S&C Memorandum is enclosed for reference.

The purpose of this All Facility Letter is to explain State law requirements for comprehensive assessments on an HHA patient receiving chore services. Pursuant to California Code of Regulations, Title 22, Division 5, Chapter 6, Sections 74697, 74707, and 74709, an HHA must meet the following requirements.

- §74697(f) Personal care service may be provided without a plan of treatment by a physician, pursuant to a written plan for personal care services.
- §74707(a) The responsibilities of the registered nurse staff shall include, but not be limited to, the following duties:
 - (2) Provide the initial nursing assessment prior to the provision of care, provide the ongoing periodic assessment of the patient and initiate preventative and rehabilitative nursing procedures.

- §74709(a)(3) If the home health aide/personal care services are provided to a patient who is not receiving skilled nursing care, physical or occupational therapy or speech-language pathology services, the registered nurse or, when delegated, the licensed vocational nurse, shall make a supervisory visit to a patient's home no less frequently than every 62 days. Regular supervisory visits shall occur while the home health aide is providing patient care and shall include verification that the plan of treatment, plan or care, or plan for personal care services is being followed appropriately.
- §74709(a)(3)(A) When a licensed vocational nurse is delegated supervision of home health aide/personal care services (when the patient is only receiving these services), the registered nurse shall at least alternate on-site supervisory visits to the patient's home with the licensed vocational nurse, to observe the patient and the patient care environment.
- §74709(a)(4) If home health aide/personal care services are provided by an individual who is not an employee of the primary home health agency, the primary home health agency shall be responsible for the overall quality of care provided by the aide, and provide supervision of the aide, including referral of any concerns to the appropriate agency or organization when care problems are observed.

If you have any questions, please contact your local DHS Licensing and Certification District Office, or contact Carol Wegner, R.N., Program Policy Section, at (916) 552-8721, or by email at cwegner@dhs.ca.gov.

Sincerely,

**Original Signed by
Ruth I. Jacobs, R.N.**

Ruth I. Jacobs, Chief
Program Policy Section
Licensing and Certification Program

Enclosure