

SULLIVAN COUNTY PUBLIC HEALTH SERVICES

<p>POLICY: HOME CARE REGISTRY</p> <p>PURPOSE: To establish policy/procedures to comply with the regulations pursuant to Chapter 594 of the Laws of 2008 with require the NYS Department of Health (DOH) to develop and maintain on its website (HPN) a publicly accessible registry of all individuals who have successfully completed either a DOH or State Education Department (SED) approved Personal Care training program (PCATP) or Home Health Aide training program (HHATP)</p> <p>RESPONSIBLE PARTY: Administrative Assistant, Supervising Community Health Nurse</p>	<p>Original Approval: 9/09</p> <p>Revised: _____</p>
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REGULATION/REQUIREMENT:

Chapter 594 of the Laws of 2008 requires the NYS Department of Health (DOH) to develop and maintain on its website (HPN) a publicly accessible registry of all individuals who have successfully completed either a DOH or State Education Department (SED) approved Personal Care training program (PCATP) or Home Health Aide training program (HHATP). In addition, home care agencies licensed under Article 36 of the Public Health law, including certified home health agencies (CHHAs), licensed home care services agencies (LHCSAs), limited LHCSAs and long term home health care programs (LTHHCPs) are required to provide to this registry employment information for employed PCAs and HHAs. Home care agencies are also required to verify on the registry that any person they employ as a PCA or HHA has successfully completed the training for that position.

The new Home Care Registry (HCR) system will be available on the Health Provider Network (HPN) on or about September 25, 2009.

The two employees that have been assigned to the updater role (Home Care Registry Agency Updater) are the Administrative Assistant and a Supervising Community Health Nurse (assigned through one of the HPN Coordinators). ONLY an authorized person (AP) may submit required information on Aides to the HCR.

PROCEDURE:

A. For PCAs/HHAs who have successfully completed their training program ON OR AFTER SEPTEMBER 25, 2009, the AP will:

- Access the Aide's HCR information prior to the Aide beginning to provide home care services for the agency;
- Ensure that aides do not provide services unless the Aide's training information has been posted to the HCR *by the training program*. Employers may **not** post this information for the Aide.

The AP must maintain compliance with the following with respect to PCAs/HHAs employed ON OR AFTER SEPTEMBER 25, 2009:

- **Within 5 business days after the Aide begins to provide services**, update the Aide's information on the HCR to show the Aide's employment with the agency, including start date.
- **Within 5 business days after receiving information from an Aide who is not in the HCR**, update the HCR to include the Aide's information. If the information is a change of name, obtain and retain documentation of the change. (Acceptable documentation is a copy of certificate of marriage, decree of divorce, or other court order authorizing a person to change their name.)
- **Within 5 business days after an Aide's employment is terminated**, update the HCR with the date on which the Aide's employment was terminated.

- Upon request of any Aide currently employed, provide access to complete HCR information, including a printed report, if requested.
- Within 5 business days after a request by an Aide, correct information in the HCR that was entered incorrectly by the agency. An agency must request verification from the Aide supporting the correction. If the correction involves a name change, obtain and retain documentation of the change (see above for acceptable forms of documentation).

B. For PCAs/HHAs who have successfully completed their training BEFORE SEPTEMBER 25, 2009, the AP must access the Aide’s registry information.

1. *If the Aide is not yet listed in the HCR*, the AP must (prior to the Aide beginning to provide services):
 - Obtain a copy of the certificate issued to the prospective employee by the training program and verify that it is valid, and
 - Obtain and enter on the HCR the following information on the Aide:
 - a) Full name, including pre-marital name and any other names currently or previously used;
 - b) Current home address;
 - c) Gender;
 - d) Date of birth;
 - e) Name of each state approved education/training program successfully completed, the name of the entity providing the training program, and the date on which the program was completed; and
 - f) History of work in home care through any home care services entity, including dates of employment and name of entity providing the employment.
2. *If the Aide is listed in the HCR*, the AP will update the Aide’s profile with current employment information (a through f above) and submit it to the HCR according to the quarterly submission schedule below.
3. The Law requires all current Aides to be entered into the HCR by September 25, 2010.
 - ❖ Aides whose last name begins with A – F: by December 24, 2009
 - ❖ Aides whose last name begins with G – L: by March 24, 2010
 - ❖ Aides whose last name begins with M – R: by June 24, 2010
 - ❖ Aides whose last name begins with S – Z: by September 24, 2010
4. Agencies are required to submit the information for all Aides in their employment on September 25, 2009 even if the Aide no longer works for the agency at the time the AP must submit the information according to the schedule above.

C. PCAs/HHAs also have certain requirements – see page 8 of the attached letter, dated September 17, 2009, for a list of those requirements.

D. For additional information, the document entitled “Home Care Registry (HCR) Frequently Asked Questions (FAQs), dated September 22, 2009 is attached.

STATE OF NEW YORK DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

James W. Clyne, Jr.
Executive Deputy Commissioner

September 17, 2009

DAL: DCBS 09-13 SUBJECT: Chapter 594 of
the Laws of 2008

Dear Administrator:

Chapter 594 of the Laws of 2008 establishes the Home Care Registry (HCR), a webbased registry of all personal care and home health aides who have successfully completed a personal care or home health aide training program approved by either the New York State Department of Health (DOH) or State Education Department (SED). The goal of this statute is to protect vulnerable New Yorkers by ensuring that only properly trained and certified individuals who are suitable for employment in home care are employed by home care services agencies to provide home care.

The registry does not affect the ability of home health aide trainees to complete the required portion of their supervised practical training in a patient care setting. Home health aide trainees must continue to demonstrate their skills on patients in the home or other appropriate health care setting under supervision for the required 8 hours. Authorized training activities are not considered to be "services" requiring listing on the registry.

The attached preliminary guidance outlines the statute's requirements, as well as proposed regulatory requirements, and applies to both SED and DOH approved training programs and home care services agencies licensed under Article 36 of the Public Health Law. Covered agencies include licensed home care services agencies, limited licensed home care services agencies, certified home health agencies and long term home health care programs.

Training programs and home care agencies are the source for most of the information in the HCR on specific aides. Training programs and home care agencies must submit the required information on trainees and aides to the HCR through the Health Provider Network/Health Commerce System (HPNIHCS). All home care agencies and SED training programs should have HPN accounts and HPN Coordinators. Home care agencies and their associated training programs (and DOH-approved training programs that are not associated with a home care agency) that do not have HPN accounts, or who are unsure whether they have an account, should contact Rick Kubis at (518) 408-1245. SED approved training programs that do not have an HPN account, or who are unsure whether they have an account, should phone Robin Tice at (518) 473-6617.

HPN Coordinators should assign new HPNIHCR roles to staff. When finalized, these roles will be available and defined on HPNIHCS and training programs and agencies will be notified. Only an authorized person may submit the required information on trainees and aides to the HCR. Each training program and home care agency must designate at least two authorized persons to access and enter data in the HCR and must submit the names, positions and contact information for each authorized person to the Department through the training program's or home care agency's HPN account. Personal care aides and home health aides or trainees may submit information to an authorized person for inclusion in the registry.

The DOH is currently providing information sessions on the HCR, its requirements, and how to enter the required information on classes, trainees and aides. Consult the HCR Alert(s) posted on the HPN for dates, locations and instructions on how to register for the training sessions. Additional educational materials on how to use the HCR will also be posted on the HPN.

The attached guidance document is preliminary and provides training programs and home care services agencies information on their responsibilities. You are strongly urged to register for one of the informational sessions which are being held by the Department. Please check the HPN daily for additional information.

Thank you for your attention to this important initiative.

Sincerely,

Mark L. Kissinger Deputy
Commissioner Office of
Long Term Care

Attachment

PRELIMINARY GUIDANCE ON THE HOME CARE REGISTRY

The Home Care Registry will be implemented on September 25, 2009. As of this date, the following requirements apply to all DOH and SED training programs and to all home care agencies:

I. General requirements for all DOH and SED approved training programs:

- Each training program must designate at least one "certifying official". The certifying official is a senior official with oversight responsibility for the training program who is authorized to execute a legally binding instrument on behalf of the operator of the program. The certifying official may be the operator if appropriate.
- The certifying official is required to sign a written sworn statement, made under penalty of perjury, certifying that each person entered into the registry by the training program has in fact successfully completed the identified training, identifying each person by name, address, date of birth, and date on which such training was successfully completed, and describing the nature of the education or training covered in the program.
- The written sworn statement is generated by the Department of Health through the HCR. It cannot be modified or amended in any way. The certifying official's name will be printed on the form. Only the official whose name is printed on the form may sign it.
- The sworn statement must be signed within five business days of the day on which the trainee successfully completes the training program.
- The training program does not submit sworn statements to the DOH but rather maintains this documentation in its files to be reviewed by DOH surveyors and other government investigators during surveyor other onsite visits.
- For training classes that begin on or after September 25, 2009, training programs may no longer issue certificates of their own design. Instead, the certificate issued to the aide upon successful completion of the training program will be generated from the HCR. The certificate must be signed by two individuals. If the training program is a PCATP, the certificate is signed by the Director/Coordinator and Nurse Instructor for personal care skills. If the training program is an HHATP, the certificate is signed by the Supervising Nurse (who is responsible for the supervised practical portion of the training) and the Official Agency Designee. The certificate must be printed, signed and given to the aide within five business days of the day the certifying official has signed the sworn statement.

- "Successfully complete" means, in connection with home health aide training, compliance with 10 NYCRR 700.2(b)(9). In connection with personal care aide training, it means compliance with 18 NYCRR 505.14(e).

- Please note that the registry does not affect the ability of trainees to complete their supervised practical training in a patient care setting. Trainees may continue to demonstrate their skills on patients in the home or other appropriate health care setting under supervision. Authorized training activities are not considered to be "services" requiring listing on the registry.

2. Training program requirements concerning classes: All DOH and SED approved personal care and home health aide training programs must, for classes that begin on or after September 25, 2009:

- a. Submit the following information through the HCR on the HPN no later than 5 business days after the commencement of the class:
 - Name and date of birth of each person in the class;
 - The location, dates and times where the classroom portion of the program will be held;
 - The name, title and qualifications of the person(s) who will be delivering the classroom instruction; and
 - The anticipated date of graduation.
- b. Maintain in their records a sworn statement for all students who successfully complete the training program. The sworn statement, printed from the HCR, also includes certification that proof of the identity of each aide listed on the sworn statement has been obtained.

3. Training program requirements concerning trainees and aides: All DOH and SED approved personal care and home health aide training programs must, for each trainee who begins a training program on or after September 25, 2009:

- a. Verify and document the trainee's identity by examining at least one of the following unexpired documents:
 - Driver's license or identification card issued by a State or outlying possession of the United States, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address;
 - Identification card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address;

- School identification card with a photograph;
- Voter's registration card;
- United States Military card or draft record;
- Military dependent's identification card;
- United States Coast Guard Merchant Mariner Card;
- Native American tribal document;
- Driver's license issued by a Canadian government authority;
- United States Passport or United States Passport Card;
- Permanent Resident Card or Alien Registration Receipt Card; or
- Employment Authorization Document that contains a photograph.

b. For any such document examined, information regarding the document title, issuing authority, document number and expiration date, if any, must be recorded and maintained in the permanent records of the training program. If the trainee fails to provide any of the documents specified above, the training program must deny participation in the program.

c. Submit to the HCR on the HPN the following information on each trainee who successfully completes the training program to complete the trainee's profile information and maintain this information in its permanent records:

- Complete name information, including pre-marital name and any other names currently or previously used.
- Current home address;
- Gender;

d. Maintain compliance with the following requirements:

- The above information for an aide must be submitted to the HCR through the training program's HPN account within five business days of the aide's successful completion of the training program.
- Upon request of a trainee or a person who has successfully completed an approved program, and upon proof of identity, provide access to complete registry

information relating to the trainee or person, including a printed report if requested.

- Within 5 business days after a request by a trainee or a person who has successfully completed an approved program, correct information entered incorrectly into the registry by the training program. A training program must request verification from the worker supporting the correction.
 - Within 5 business days of signing the sworn statement, print and sign the aide's certificate of completion. The original copy must be maintained by the training entity and a copy of the signed certificate must be provided to the aide. Additional copies of the certificate can be printed with a "duplicate" stamp.
 - DOH and SED approved training programs must establish, maintain, and keep such records as are required to show compliance with HCR requirements for six years after the successful completion of training, unless otherwise directed by the Department or the New York State Education Department. Home care agencies must establish, maintain, and keep such records as are required to show compliance with HCR requirements for six years after the termination of a worker's employment, unless otherwise directed by the Department.
 - Each training program and each home care agency must have policies and procedures that set forth how it will ensure compliance with HCR requirements.
4. Home care agency requirements: Home care agencies have the following responsibilities with respect to personal care and home health aides who began training on or after September 25, 2009 and successfully completed the training program:
- Access the aide's HCR information prior to the aide beginning to provide home care services for that agency.
 - Ensure that aides do not provide home health aide services unless the aide's training information has been posted to the HCR *by the training program*. Employers may not post this information for the aide.

For all personal care and home health aides who successfully completed training before September 25, 2009, prior to the aide beginning to provide services, an agency must access the aide's registry information. If the aide is not yet listed in the HCR, the agency must, *prior to the aide beginning to provide services*:

- a. Obtain a copy of the certificate issued to the prospective employee by the training program and verify that it is valid; and
- b. Obtain and enter on the HCR the following information for the aide:
 - Full name, including pre-marital name and any other names currently or previously used;
 - Current home address;

- Gender;
- Date of birth;
- Name of each state approved education or training program successfully completed, the name of the entity providing the program, and the date on which the program was completed; and
- History of work in home care services through any home care services entity, including dates of employment and name of entity providing the employment.

c. Maintain compliance with the following with respect to personal care and home health aides employed on or after September 25, 2009:

- Within 5 business days after the aide begins to provide services, update the aide's information on the HCR to show the aide's employment with the agency, including the start date.
- Within 5 business days after receiving information from an aide who is not in the HCR, update the HCR to include the aide's information. If the information is a change of name, obtain and retain documentation of the change. Acceptable documentation of name change is a copy of a certificate of marriage, decree of divorce, or other court order authorizing a person to change his or her name.
- Within 5 business days after an aide's employment with the agency is terminated, update the HCR with the date on which the aide's employment with the agency was terminated.
- Upon request of any aide currently employed by the agency, provide access to complete HCR information relating to the aide, including a printed report if requested.
- Within 5 business days after a request by an aide, correct information in the HCR that was entered incorrectly by the agency. An agency must request verification from the aide supporting the correction. If the correction involves a change of name, obtain and retain documentation of the change. Acceptable documentation of name change is a copy of a certificate of marriage, decree of divorce, or other court order authorizing a person to change his or her name.

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5. Home care agency requirement; For every personal care or home health aide who is employed by an agency on September 25, 2009, the agency must:

- a. Check the registry to see if aide's information has already been entered. If so, update the aide's profile with current employment information.
- b. Submit to the HCR on the HPN, according to the quarterly submission schedule shown below, all of the following information:
 - Full name, including pre-marital name and any other names currently or previously used;
 - Current home address;
 - Gender;
 - Date of birth;
 - Name of each state approved education or training program successfully completed, the name of the entity providing the program, and the date on which the program was completed; and
 - History of work in home care services through any home care services entity, including dates of employment and name of entity providing the employment.
- c. The law requires all current aides to be entered into the Registry by September 25, 2010. The Department has provided the following quarterly schedule to enter this information.
 - Aides whose last name begins with A -F: by December 24, 2009.
 - Aides whose last name begins with G -L: by March 24, 2010.
 - Aides whose last name begins with M -R: by June 24, 2010.
 - Aides whose last name begins with S -Z: by September 24, 2010.
- d. Agencies are required to submit this information for all aides in their employment on September 25, 2009 even if the aide no longer works for the agency at the time the agency must submit the information in accordance with the schedule above.

Agencies are advised to collect this information for each aide in their employment on September 25, 2009, before the aide's employment ends. See requirement 6 below.

6. Personal care and home health aide requirements: Personal care and home health aides also have specific responsibilities in regard to the HCR.

- a. Aides who begin training on or after September 25, 2009 and successfully complete such have the following responsibilities:

- The aide must retain in good order the certificate of successful completion of training and display it to a prospective employer when requested;
 - If an aide discovers that the training program incorrectly entered information regarding her or himself in the HCR, the aide must provide corrected information, including any verification of the name change to the employer;
 - If any information required for the HCR changes, the aide must inform the employer of the changes and provide verification of the change as requested by the employer;
 - If an aide changes his or her name, the aide must provide proof of the name change to the employer. The employer will change the aide's name in the HCR and must retain a copy of the proof submitted in its permanent records. Appropriate proof of change of name includes copy of a certificate of marriage, decree of divorce, or other court order authorizing a person to change his or her name.
- b. Aides employed by a home care agency on September 25, 2009, must provide their employer with the following information no later than 5 business days before September 25, 2009 or date of hire if date of hire is after September 18, 2009:
- Full name, including pre-marital name and any other names currently or previously used;
 - Current home address;
 - Gender;
 - Date of birth;
 - Name of each state approved education or training program successfully completed, the name of the entity providing the program, and the date on which the program was completed; and
 - History of work in home care services through any home care services agency, including dates of employment and name of agency providing the employment.
- c. If an aide discovers that an employer incorrectly entered information regarding the worker in the HCR, the aide must provide corrected information, including any verification of the
- d. If any information required for the HCR changes, the aide must inform the employer of the changes and provide any verification of the change requested by the employer;

e. If an aide changes his or her name, the aide must provide proof of the name change to the employer. The employer will change the aide's name in the HCR and must retain a copy of the proof submitted in its permanent records. Appropriate proof of change of name includes copy of a certificate of marriage, decree of divorce, or other court order authorizing a person to change his or her name.

September 22, 2009

Home Care Registry (HCR) Frequently Asked Questions (FAQs)

These FAQs respond to questions that are not addressed in other HeR materials posted on the HPN, such as Alerts and Dear Administrator Letters (OALs). Please consult these materials in conjunction with the following FAQs, which will be updated as needed.

General Questions

Q1. Why is the HCR necessary?

- A. The HCR is mandated by Chapter 594 of the Laws of 2008. It is part of an ongoing effort to ensure that the individuals employed by home care agencies to provide home care services have been properly trained and are suitable to provide services to New Yorkers in their homes. The HCR, when fully operational is also a tool that the public can use to get more information on potential home care workers.

Q2. Does the Department of Health guarantee the accuracy of the information in the HCR about personal care and home health aides?

- A. The HCR provides limited information about home care workers who have successfully completed a state approved training program in New York State. Information contained in the HCR may be entered and updated by third parties, and the Department of Health does not guarantee the accuracy of third-party information provided nor endorse any individual listed in the HCR. It is the responsibility of those accessing the HCR to verify the credentials, employability and competency of any individual listed in the registry.

Q3. Does the Home Care Registry have a Help Desk?

- A. Yes. The toll-free phone number is 1-877-877-1827. Help is also available by e-mail to HCREG@health.state.ny.us.

Q4. How do home care services agencies and approved training programs access the HeR to enter the required information?

- A. Training programs and home care services agencies access the HCR through their HPN/HCS accounts.

Q5. What if I don't have an HPN account? Who do I go to?

- A. Phone the HCR Help Desk at its toll free number: 1-877-877-1827.

Q6. How does the public get to the HCR?

A. The public can access the HCR through the DOH public website at www.health.state.ny.us.

Q7. If someone doesn't have access to the internet, can they still access the HCR information?

A. Yes. Individuals without access to the internet can phone the HCR Help Desk at 1-877-877-1827. Help Desk staff can verify a person's training status and whether the aide is approved for employment.

Q8. Why does the DOH differentiate training entities from training programs? They are the same thing.

A. They aren't always the same thing. There are two basic reasons why the HCR differentiates between training entities and training programs:

- Training entities are schools, colleges, SOCES programs, etc under the jurisdiction of the State Education Department (SED). Every training entity has at least one training program and some have many training programs on different subjects.
- The majority of training entities under the jurisdiction of DOH are home care services agencies and home care worker employers. Approximately 300 home care services agencies have DOH approved training programs.

Q9. I represent a home care services agency with an approved Personal Care Aide Training Program (PCATP) and a Home Health Aide Training Program (HHATP). Does the HCR differentiate my organization's multiple functions as an employer and a training program?

A. The HCR differentiates these two functions through the roles that your HPN Coordinator must assign to your staff to enter and/or change information made to the HCR. The HPN roles for training programs are different from the roles assigned to employers. An email was sent to all HPN coordinators in August explaining the different roles and provided directions on how to assign the roles. If you have questions regarding the different HPN responsibilities, please contact the HCR Help Desk at 1877-877-1827.

Q10. Who is responsible for the information entered into the HCR?

- A. The home care services agency is accountable for the information it enters in the HCR. The training program is accountable for the information that it enters in the HCR. The senior official who signs the written sworn statement is accountable for the information in the written sworn statement.

Q11. Will the certificate number be the same number on duplicate certificates?

- A. Yes.

Q12. Does maintaining information in the HCR replace required recordkeeping for training programs or home care services agencies?

- A. No.

Q13. Our agency information will be available to the public in the HCR. Is it possible that we will receive telephone calls about staff listed in the HCR?

- A. Yes. If this happens, follow your agency's policies and procedures for disclosing employee information.

Q14. Can the last 4 digits of the social security number be used without consent?

- A. No.

Q15. Does DOH have a template we can use to develop HCR policies and procedures?

- A. No. Training programs and home care services agencies are encouraged to review Chapter 594 of the Laws of 2008, the regulations and information provided on the HPN.

Q16. Due to the short timeframes to enter information into the HCR, will home care agencies and training programs be allowed to assign more than one person to data entry functions?

- A. Yes. In fact, you are required to assign at least two different employees to the newly created HPN data entry and modification roles for the Home Care Registry.

Training Program Questions

Q 17. How will the HCR be structured to accommodate agencies who have both PCA and HHA training programs approved by DOH?

- A. The HCR requires training programs to create classes. As part of creating a class, you will indicate whether it is a PCA or HHA class. You will enter the names of the people enrolled in it. If some of these people withdraw from the class or fail to complete it for any reason, you will indicate this on the HCR. When you print certificates for those in the class that successfully completed it, the certificates will state whether the class was PCA or HHA depending on what you entered into the HCR when you created the class.

Q18. We're a small organization. Do I need to have a different person for official agency designee, supervising nurse, nurse instructor, etc.?

- A. No.

Q 19. What is this new "senior official" role?

- A. In reference to personal care and home health aide training programs, the HCR statute requires "a *written sworn statement* by the *senior official* of the entity that offers or provides such program, made under penalty of perjury, certifying that each person has in fact successfully completed the identified program, identifying each such person by name, address, date of birth and date on which such program was completed, and describing the nature of the education or training covered in such program; and (ii) proof that such entity has verified the true identity of each person who has successfully completed the identified program."

The senior official must be an individual with responsibility for oversight of your training program and must be authorized to execute a legally binding instrument on behalf of the operator of the program. The senior official may be the operator..

Q20. Is there any limit on the number of senior officials a training program can have?

- A. No. However, each designated senior official must meet the criteria set forth in Question 19.

Q21. Can the board of directors of a training program assign authority to any employee to be the senior official who signs the written sworn statement?

A. Each senior official designated by a training program must have oversight of the training program and must be authorized to execute a legally binding instrument on behalf of the operator of the program.

Q22. I have a trainee who began training on September 24 but then withdrew on September 25. Do I still have to enter this person?

A. No.

Q23. I have a trainee who began training September 25 but withdrew on September 26. Do I still have to enter this person?

A. Yes. You must enter information for all trainees who were enrolled in classes that began on or after September 25, 2009, regardless of whether and when they withdrew from that class.

Q24. Does a certificate need to be printed for each person who successfully completes the training program?

A. Yes.

Q25. How long does the training program retain the certification form?

A. Records must be retained for six years.

Q26. How many certificates should be printed?

A. There is the option of printing two original certificates. You are required to maintain an original signed certificate in your files for six years. The other signed certificate should be given to the aide.

Q27. Can a training program charge for duplicate certificates?

A. No. As per the statutory requirements "No charges shall be imposed on any person or entity for any costs related to the registry."

Q28. Do we need the aide's signature on the certificate?

A. No.

Q29. Will the certificate look the same for all HHAs and PCAs?

A. Yes.

Q30. For aides who begin a training program after September 25, 2009 and receive a certificate that was generated through the HCR, how does the aide obtain a replacement certificate if the original is lost?

A. As in the past, the aide should request a duplicate certificate from the training program that issued the original certificate. If the training program has closed, the aide should phone the Home Care Registry's toll-free number. Upon provision of documentation of identity, Registry staff will send a duplicate certificate to the aide. If the training program still exists but declines to provide a duplicate certificate, the aide should phone the Registry at the toll free number for assistance in obtaining a certificate.

Q31. I have both a PCATP and an HHATP. Can I issue PCA certificates to students enrolled in my HHATP who successfully complete only the PCA portion of the training program?

A. No. In order to print a PCA certificate for a student, that student has to be enrolled in a PCA class and successfully complete your PCA training program.

Q32. Does the individual have to go back to the training organization that originally trained her to get a competency evaluation?

A. No. Any DOH approved PCATP can administer the Alternative Competency Demonstration to an individual who wishes to work as a personal care aide. Home care agencies that do not have an approved PCATP cannot competency test.

Any DOH approved HHATP can competency test certain individuals (such as certified nurse aides and home health aides whose certification has lapsed) who wish to work as home health aides. Home care agencies that do not have an approved HHATP cannot competency test. Please refer to DAL DHCBC 06-02 (link provided below) issued April 13, 2006 for additional guidance on training requirements for home health aides.

http://www.health.state.ny.us/professionals/home_care/curriculum/docs/dal06-02.pdf

Q33. Will there be a separate authorized person form designated for the registry?

A. No. This is not necessary for HCR purposes.

Q34. Do I have to assign staff to HPN/HCR roles in order to complete the Training Program Survey?

A. No.

Q35. Can a training program enter employment information on an aide?

A. No. Training programs may enter only training information for an aide.

Q36. Is data on trainees available to the public?

A. No.

Home Care Agency (Employer) Questions

Q37. When the HCR indicates that an aide is "Approved for Employment," what does that mean? What does it mean when the status is "Unknown"?

A. Workers who apply for employment with a home care services agency are required to undergo a background investigation that determines an individual's eligibility for employment. If factors that would disqualify a worker from employment are found, that person is deemed "disapproved" for employment. A home care services worker whose certification has lapsed, or been suspended or revoked, is also "disapproved" for employment. Home care services agencies may not hire any individual who is disapproved for employment. If a background investigation yields no disqualifying factors, the employee is deemed "approved" for employment and may be hired.

An "unknown" status may mean that an individual has applied for employment with a home care services agency and the background investigation is still pending. It may also mean that the individual has never applied to work with a home care services agency, as these individuals are not required to submit to a background investigation.

Q38. What does it mean if the HCR says that the status of the home health aide's certification is "lapsed"?

If the home health aide has not worked for a home care services agency or hospice within the past 24 consecutive months, the aide's training has lapsed and he/she is ineligible for employment by a home care services agency. In order to reinstate his or her eligibility for employment, the aide must successfully complete a state-approved education or training program. Information in the HeR regarding an aide whose certification has lapsed is not up to date, and may not accurately reflect current information about that aide. This only applies to home health aides; personal care aide certifications do not lapse.

Q39. What does it mean if the HCR says that the status of the aide's certification is "revoked"?

A. This means that the Department of Health has revoked the certificate for the aide and he/she is ineligible to be employed by any home care services agency. Information on the HeR for an aide whose certification was revoked will not be updated after the date of revocation. Home care services agencies may not hire or continue to employ individuals after their certification has been revoked.

Q40. What does it mean if the HCR says that the status of the aide's certification is "suspended"?

A. This means that the Department of Health has suspended the aide's certificate for an indefinite period of time. Home care services agencies may not hire an aide whose certificate has been suspended. Please note that information regarding the aide may not be complete or up to date while certification is suspended.

Q41. Is the HCR employment information for the worker reliable?

A. This information is self-reported. The Department does not guarantee its accuracy.

Q42. Can you please explain the information in the Convictions/Findings" section of the HCR?

A. This section contains limited records of convictions or administrative findings involving abuse, mistreatment, neglect or misappropriation of funds by a personal care or home health aide while in a patient care setting. It applies to convictions and determinations in New York State only. Other types of convictions or administrative determinations, if any, and convictions and findings from other states, if any, are not reported .. Administrative determinations are available for a limited set of patient care settings only. The information in this section is reported voluntarily by state and local agencies, and may not reflect complete and up to date information for the individual listed.

Q43. If an aide employed by my agency on September 25, 2009, leaves after that date, is it my responsibility to add this person to the HCR?

A. Yes.

Q44. My agency has hundreds of staff. Does the HCR provide any way for us to electronically upload aides in batches?

A. That feature is not currently available. DOH will continue to develop improvements in the administration of the HCR.

Q45. As a home care services agency can certificates be printed for aides once verification of successful completion of a training program?

A. No. Only training programs can print certificates, and only for the students who successfully complete their training program.

Q46. If my agency sends aides to the local nursing college, do we certify them?

A. No. The only organizations that can issue certificates are approved training programs.

Q47. If an aide presents a questionable certificate, should this be reported?

A. If you suspect that a certificate was fraudulently issued, you should report it to your region's Medicaid Fraud Control Unit in the New York State Office of the Attorney General and the Office of the Medicaid Inspector General. After contacting the appropriate authorities you may also provide the information to the HCR Help Desk at 1-877-877-1827.

Q48. Before interviewing an applicant for an aide position, can a home care services agency search the HCR to ascertain his/her status?

A. Yes. However, all aides currently employed are not required to be entered into the HCR until September 25, 2010. During the first year of implementation, employers should continue their current review process to ascertain an aide's training status.

Q49. Will an individual's work history be available on the HCR?

A. Yes. By September 25, 2010, the HCR will provide information on home care employment as provided by the aide. The legislation creating the HCR allowed for a twelve month implementation phase to allow existing home care services workers and employers time to provide information to the HCR.

Q50. Does the HeR section on home care employment history include the reason for termination?

A. No.

Q51. Can a home care agency enter training program information for an aide?

A. This is determined by the date the aide's class started.

If the aide successfully completed training **in** a class that started on or after September 25, 2009, the home care agency may not enter any training information on the aide. The only organization that can do this is the training program that trained the aide and issued the certificate. For this group of aides, the home care services agency may enter only employment information.

If the aide successfully completed training in a class that did not start on or after September 25, 2009, the home care agency must enter both training and employment information.