



Title 175 NAC 14, Effective 08/10/2008 Frequently Asked Questions

Created: 6/9/2021

Title 175 NAC Chapter 14: Regulations Governing Licensure of Home Health Agencies

Q: Where can I find guidance for home health agency (HHA) licensure renewal effective during the COVID-19 public health emergency?

A: See link below to view Executive Order 20-12 – COVID-19 Frequently Asked Questions
<https://dhhs.ne.gov/Documents/COVID-19%20Executive%20Order%2020-12%20FAQ.pdf>

Q: Where can I find general guidance for home health agencies, including the use of a Nebraska-licensed nurse practitioner or a Nebraska-licensed physician assistant to write HHA orders and sign the HHA patient's plan of care, during the COVID-19 public health emergency?

A: See link below to view Nebraska Department of Health and Human Services (DHHS), Licensure Unit, Office of Outpatient and In-Home Care Services Guidance – COVID-19
<https://dhhs.ne.gov/Documents/COVID-19-Licensure-Unit-Office-Of-Outpatient-And-In-Home-Care-Services-Guidance.pdf>

Q: Will Nebraska DHHS, Licensure Unit revise Title 175 NAC 14 to allow a Nebraska-licensed nurse practitioner or a Nebraska-licensed physician assistant to write HHA orders and sign the HHA patient's plan of care after the COVID-19 public health emergency has ended?

A: To implement, as allowed by Nebraska law, a recent Medicare HHA survey and certification change, the Licensure Unit intends to revise Title 175 NAC 14 to allow a Nebraska-licensed nurse practitioner or a Nebraska-licensed physician assistant to write HHA orders and sign the HHA patient's plan of care. To comply with the Respiratory Care Practice Act requirements, these proposed revisions would not apply to 175 NAC 14-006.03 requirements for Medical Director when the agency is providing respiratory care by a respiratory care practitioner. Until these proposed revisions to Title 175 NAC 14 are approved or denied, the Licensure Unit will not cite a deficiency nor take a licensure action against a HHA for non-compliance with the requirement that only a physician may order and/or approve the HHA patient's plan of care as specified in 175 NAC 14.

Q: How will I know when the above proposed revisions to Title 175 NAC 14 receive final approval or denial?

A: The regulatory process for revising Title 175 NAC chapters has multiple review steps before Nebraska DHHS is notified of final approval or denial.

Once a finalized draft of the Licensure Unit's proposed revisions to 175 NAC 14 is approved for public hearing, the draft and public hearing information can be viewed on the Nebraska Secretary of State public website at:

<https://www.nebraska.gov/nesos/rules-and-regs/regtrack/index.cgi>

Finalized revisions to 175 NAC 14 can be viewed on the HHA licensure public webpage at:

<https://dhhs.ne.gov/licensure/Pages/Home-Health-Agencies.aspx>