STATE OF NEBRASKA

DEPARTMENT OF HEALTH

KAY A. ORR
GOVERNOR

GREGG F. WRIGHT, M.D., M.ED.
DIRECTOR

MEMORANDUM

TO: Senator Don Wesely
Chairman
Legislature's Health & Human Services Committee

FROM: Gregg F. Wright, M.D., M.Ed.
Director of Health

SUBJECT: Recommendations Regarding the Regulation of Home Health Aides

DATE: February 2, 1988

To complete the final report on the proposed Regulations for Home Health Aides, the Department has reviewed the application material, the information presented at the public hearing, the reports from both the technical committee and the Board of Health, and the Department's current regulatory authority and capability.

RECOMMENDATIONS

The home health aide application sought to establish minimum standards of training for all persons engaged in home health aide practice. Both the technical committee and the Board of Health recommended approval of the proposal.

In addition, the Board of Health recommended approval of a document embodying a compromise reached by representatives of the applicant group and representatives of private home health agencies on such matters as tiering, hours of training, supervision, grandfathering, and exemptions.

I recommend approval of the proposal, and endorse the above-mentioned compromise document, but would urge the Legislature to examine alternatives to the compromise on such issues as the appropriate number of hours of training and the funding of the proposed regulations.

DISCUSSION

I agree with the technical committee and the Board of Health that there is at least potential harm to the public health and welfare inherent in the unregulated practice of home health aides. There is a need to establish minimum standards of training in this field in order to protect our elderly and developmentally disabled citizens from harm. These are some of our most vulnerable citizens and they would benefit from an assurance that those who provide home health services are adequately trained to do so.

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AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

I endorse the majority of the ideas in the compromise document written by the contending parties to the proposal. However, I recommend that the Unicameral examine alternatives as regards the number of hours of training necessary to establish minimum standards for home health aides. I am concerned that the thirty hours of training contained in the compromise document as the recommended number of hours for establishing minimum standards of practice might not be sufficient to adequately protect clients from harm. Current Medicare regulations state that at least seventy-five hours of training is needed to provide an adequate amount of training for home health aides.

I also recommend that the Legislature examine alternatives to funding the proposal with general funds, which is the mechanism proposed by the applicant group. Alternatives include requiring each agency to pay a registration fee for each trainee, or requiring each person to pay a fee for their training.

GFW:all