

**Home Care Licensing Commission September 9, 2021**

### Welcome

* Vote on minutes from August 4, 2021 meeting
* Overview of Final Report of Commission
* Vote on Final Report
* Outside Section 97 of the FY’21 budget authorizes the Department of Public Health to chair a commission to study and make recommendations to establish a statewide licensing process for home care agencies in the Commonwealth.

#### The Commission is required by statute to study:

* current licensure, reporting and oversight requirements across the long-term care services industry and support systems and other relevant state agencies, including the provider monitoring conducted by the aging services access points established

in [section 4B of chapter 19A](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter19a/Section4b) of the General Laws, to avoid duplication or conflicting requirements;

* home care agency licensure requirements in other states;
* processes for implementing a statewide home care agency licensure process; and
* current licensure processes in the health care industry in Massachusetts.

**The commission shall make recommendations on**:

* + Strategies to implement a statewide home care agency licensure process;
  + Licensure, reporting and oversight requirements for the home care agencies;
  + The standards for the issuance of a provisional license;
  + Ensuring recommendations for home care agency licensure process will align with state oversight process already in place through the aging services access points, the home care worker registry and the nurse aide registry; and
  + Any other matters pertaining to licensing home care agencies.
* August 4, 2021 Meeting Minutes
* The Home Care Licensing Commission report provides a summary of the previous Home Care Licensing Commission meetings and the recommended proposed licensure framework for licensing home care agencies in Massachusetts.
* Thank you to the Commission members that provided feedback and comments on the Home Care Licensing Commission report.
  + DPH updated the Home Care Licensing Commission report to incorporate the feedback and comments received:
    - Included the licensure fees for home care agency licensure for California, Connecticut and Pennsylvania
    - Noted that the licensure requirements presented by the Bureau of Health Care Safety and Quality may not all be applicable to the licensure of home care agencies due to the nature of care being provided in an individual’s home, as opposed to a healthcare facility.
    - Added that a service plan must detail if there will be any services that the primary agency is subcontracting to another agency or provider and that if a home care agency is contracted with an ASAP, the contract and service plan are provided by the ASAP, not the home care agency.
    - Identified the state regulating agency as the Executive Office of Health and Human Services or an agency within the Executive Office of Health and Human Services.
    - Expanded upon the annual reporting by home care agencies to include reporting on quality metrics and significant changes related to home care agency finances.

**Overview of Final Report: Comments Not Included**

* + DPH did not incorporate the following comments and feedback in the final report:
    - Request to require home care agencies train workers on all other State and Federal employment and labor rights.
      * The final report requires home care agencies to provide training on the issues that directly impact home care workers, such as safe working conditions and wage theft.
    - Request to include licensure of home health agencies in the report.
      * The final report focuses on charge of the Commission - licensure of home care agencies. The process for licensure of home health agencies will be informed by the Commission’s work but is a separate process.
    - Request to include oversight and auditing roles of the Attorney General, State Auditor, EOHHS and EOEA.
      * A relationship exists between these state agencies and constitutional officers as issues and/or concerns are referred to the appropriate agency for further investigation.

# Thank You!

## Thank you to the members of the Home Care Licensing Commission for your dedication and hard work on this important issue.