

June 24, 2013

DAL: *DHCBS 13-10*
Subject: *Operation of a Home Health Aide
Training Program – Revisions to
Training in a Foreign Language*

Dear Administrator:

The purpose of this letter is to amend certain requirements for conducting instruction in a foreign language included in the Guide to Operation of a Home Health Aide Training Program issued on January 20, 2012 (DAL HCBS 12-01) and clarification issued on February 20, 2013 (DAL HCBS 13-03).

In response to the lack of available published textbook(s) and associated written tests in languages other than English, the Department is issuing the following amendments to the Guide to Operation of a Home Health Aide Training Program pertaining to training in a foreign language.

The amendments are effective immediately. All programs (including existing Home Health Aide Training Programs that received approval to train in a foreign language prior to July 1, 2012) must be fully compliant with the requirements for conducting instruction in a foreign language by November 1, 2013.

The amendments to the Guide are included below:

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Training in a Foreign Language

Current Requirement:

Textbooks must be available in the language that is being taught. The Department maintains the authority to review and approve a textbook to be used for this purpose to ensure that the curriculum meets the minimum standards.

Amendment:

The program is not required to obtain a textbook written in the foreign language that is being taught. However, in accordance with the guidelines described under “Evaluation of the Trainee” on page 5 of this Guide, programs must use an approved published textbook (in English) as a resource for instruction in the foreign language. The Department maintains the authority to review and approve textbooks to ensure that the curriculum meets the minimum standards.

Current Requirement:

Testing may be conducted in the language that the curriculum was taught and must follow the guidelines as described under “Evaluation of the Trainee” on page 5 of this guide.

Amendment:

Testing may be conducted in the language that the curriculum was taught and must follow the guidelines as described under “Evaluation of the Trainee” on page 5 of this guide.

When providing instruction in a foreign language, the training program must use written tests obtained from publishers who publish textbooks for the purpose of training home health aides. Test questions must be from a “bank” of test questions. Questions must comprehensively test the student in all areas of the curriculum and questions must be rotated. If a student is retaking a test after an unsuccessful attempt, this test must be a different version from the previous test taken. A minimum score of 80% is required to ensure mastery of subject material.

The Department requires that the program (or a group of programs) must consult with the publisher(s) of approved English textbook(s) to discuss the possibility of translating associated test questions obtained from their “bank” of test questions. The program(s) is responsible for understanding and adhering to the publisher’s current requirements and limitations.

In all instances, all translations of the English material must be completed and documented by a certified language translation service. When requesting approval (initial and re-approval) to conduct training in a foreign language, the training program will be required to provide documentation of the text book to be used, the certified translation attestation (a signed statement that the translation is an accurate and complete rendering of the original document) and the formal permission granted by the publisher to translate their materials.

To be fully compliant with the revised requirements by November 1, 2013, all programs (regardless of the effective re-approval date) currently providing training in a foreign language must submit the following information to the Regional Office by **October 1, 2013**:

- Documentation of the English text book currently approved to be used;
- The formal permission granted by the publisher to translate their materials; and
- Documentation of the certified translations of a test bank of questions (mandatory) and instructor materials (if applicable).

Please be advised that at this time there are no further changes to any other requirements on training in a foreign language. HHATPs are advised to contact their provider associations and/or industry representatives for guidance on obtaining and translating approved published materials.

A revised Guide to Operation of a Home Health Aide Training Program will be issued soon reflecting the updates to the requirements for training in a foreign language and the HHATP supervised practical training requirement (addressed in DAL HCBS 13-03).

As a reminder, all Home Health Agencies are responsible for ensuring that patient care is provided in a safe, effective and efficient manner. When training is conducted in a foreign

language, it is expected that the employing agency will ensure that these home health aides are able to understand care plans, medication bottles and other patient information that are typically written in English. In addition, agencies need to ensure that these home health aides are able to appropriately communicate and document changes in patient conditions to the registered nurse (or therapist).

For questions or clarification on this directive, contact the New York State Department of Health, Division of Home and Community Based Services at hhatp@health.state.ny.us.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Fuller Gray". The signature is written in black ink and is positioned above the printed name.

Rebecca Fuller Gray, Director
Division of Home & Community Based Services