

September 22, 2009

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

These FAQs respond to questions that are not addressed in other HCR materials posted on the HPN, such as Alerts and Dear Administrator Letters (DALs). 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 HCR 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, BOCES 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 1-877-877-1827.

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

Q17. 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.

Q19. 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/dal_06-02.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 HCR 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 HCR 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 HCR 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.