



August 23, 2018

Office of the Professions
Office of the Deputy Commissioner
New York State Education Department
89 Washington Avenue, 2M
Albany, NY 12234

Via email: opdepcom@nysed.gov

Re: Public Comment on Advanced Home Health Aides - I.D. No. EDU-26-18-00008-EP

Dear Sir or Madam:

On behalf of LeadingAge New York, we appreciate the opportunity to provide comment on the proposed regulations amending Section 64.9 of Title 8 NYCRR regarding the establishment of the role of advanced home health aide (AHHA), training and competency requirements for AHHAs, and their supervision by registered professional nurses.

LeadingAge NY represents approximately 400 not-for-profit and public providers of long-term and post-acute care (LTPAC) and senior services throughout the State, and we offer comments from the perspective of our members that provide home care, hospice and assisted living services.

In the proposed rule Sections 64.9 (e) AHHA Training and Competency Requirements and (f) Advanced Home Health Aide Training Programs, we question the experience requirement to qualify for certification as an advanced home health aide.

Section 64.9 (e)(2) requires an individual to "have at least one year of experience providing either home health or personal care services, or a combination of the same, as a certified home health aide or while working for a home health services entity;". The term "home health services entity" is not defined, but suggests the experience is limited to only home health agencies. We believe that individuals who have one year of experience providing either home health or personal care services, or a combination of the same, while working in any one of the settings slated to allow care by AHHAs - CHHAs, LHCSAs, hospice and Enriched Assisted Living Residences- should qualify for the experience requirement.

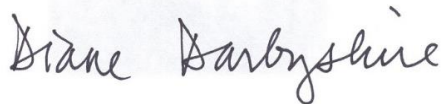
We recommend replacing the term "home health services entity" with "health services entity" in this provision. According to Definitions section 64.9 (a)(1) of this proposed regulation, "Health services entity means a home care services agency licensed or certified pursuant to article thirty-six of the public health law, a hospice program certified pursuant to article forty of the public health law or an enhanced assisted living residence licensed pursuant to article seven of the social services law and certified pursuant to article forty-six B of the public health law."

This change would be consistent with Section 64.9 (e) (2) Advanced Home Health Aide Training Programs, which states "(2) Before being offered admission into an advanced home health aide training program, the program sponsor shall at a minimum, verify that each candidate; (i)... (iii) has completed at least one year of experience providing home health or personal care services or a combination of the same as a certified home health aide or while working for a health services entity."

Again, we support using the term "health services entity" in both provisions to capture all settings for the experience requirement and ensure consistency across the regulation. This also recognizes the valuable experience that an aide may have received working in an enhanced assisted living residence or a hospice program, as well as a home care agency.

Thank you for the opportunity to provide input on the proposed rule. If you have any questions on our comments, please contact Meg Everett at meverett@leadingageny.org or Diane Darbyshire at ddarbyshire@leadingageny.org. We can both be reached at (518) 867-8383.

Sincerely,

A handwritten signature in black ink that reads "Diane Darbyshire". The signature is written in a cursive, flowing style.

Diane Darbyshire, LCSW
Senior Policy Analyst

A handwritten signature in blue ink that reads "Meg Ann Everett". The signature is written in a cursive, flowing style.

Meg Everett
Policy Analyst