



**Joint Regulatory Relief Meeting with Executive – August 5, 2021**

**Objective:** Discuss extending regulatory relief measures that were instituted via Executive Orders and/or state Department of Health (DOH) guidance during the COVID-19 emergency that would continue to benefit the individuals served by our provider memberships.

Category	Discussion/Recommendations
<b>Initial Health Assessments</b>	Continue the regulatory relief that allows a registered nurse to conduct the initial health assessment for new employees (rather than requiring a doctor, physician assistant or nurse practitioner).
<b>Aide Supervision</b>	Discontinuance of daily aide monitoring.
<b>Staffing Shortage Waiver</b>	In prior Return to Work guidance, the state had implemented a waiver process for asymptomatic, exposed individuals in the event of a staffing shortage. Is that waiver process still in effect?
<b>Return to Work Guidance</b>	What is the State’s position on work exclusion after community exposures for unvaccinated health care personnel? For out of state workers (adjacent states), are workers expected to quarantine?
<b>Supervision</b>	Recommend that these regulatory requirements and flexibility be consistent with the Federal timeframe for reinstatement – continue until 60 days after expiration of the Federal public health emergency.
<b>Supervision of Personal Care Services</b>	Continue and establish a timeframe for reinstatement that provides for a reasonable phased in transition to in person supervision and allow for a hybrid telehealth mechanism for supervision.
<b>Hospice Aide Supervision</b>	Hospice aide and home health aide supervision requirements should be consistent with those similar requirements found in 42 CFR and phase in transition should be consistent.
<b>HHA Training Program Supervised Practical Training</b>	Continue and recommend this flexibility continue indefinitely. Institutional arrangements to allow non-employees in patient care settings have become increasingly difficult for training purposes.
<b>PCA and HHA Training Programs</b>	Change approval for PCA and HHA Training Programs from 3 to 6 years. This will reduce redundant application processes and save costly administrative application submissions. Recommend requiring specific updates to specific information as they occur to the department.
<b>Alternate Competency Demonstration</b>	Continue and revise permanently to address workforce shortage issues.
<b>Aide In-Service Training</b>	Align Title 18, 505.14 (3 hours semiannually) with Title 10, 766.11 (6 hours annually).  Recommend that enforcement discretion of these requirements be aligned with Federal timeline – continue until the end of the first full quarter after the Federal public health emergency ends.
<b>Social Distancing Requirements for In-Person Aide Training</b>	Change this requirement imposed during the state declaration of a public health emergency to comply with recent State Education change from six to three feet.
<b>Home Care Aide Training Program</b>	Continue and recommend changing the timeline for completion to 120 days to accommodate workforce needs moving forward to address workforce needs.
<b>Out-of-State Health Professionals</b>	Continue. The credentialing of out of state RNs is taking more than 8 weeks currently. This lengthy timeframe negatively impacts the ability of providers to recruit and place nurses on staff. Recommend at least an interim license provision to allow professionals ease in working in NYS.