

HCAOA State Issues Overview 11/5/2021

State	Bill No.	Description/Sponsor	Status	Comments
CA	N/A	Home Care Aide Background Check Delays	HCAOA lobbyists and chapter leadership met with CDSS Director Kim Johnson and Community Care Licensing Division Deputy Chief Claire Ramsey on 11/2/2021	Guardian is the state's new electronic data system. While the process has improved since the rollout in January 2021, it continues to be plagued with issues, which are compounded by workforce shortages at the Care Provider Management Bureau. CDSS leadership committed to a follow-up the first week of December.
CA	TBD—2022	Permit Nurse Delegation of Certain Services to Home Care Aides	HCAOA lobbyists are in conversations with the Nurses Association	Contemplated services include medication administration and catheter care. See figures 4 and 5 in this 2019 Research Brief .
CT	TBD—2022	Home Care License	HCAOA chapter has established ad hoc committee to develop licensure legislation	Longstanding issues in Connecticut especially with the Department of Consumer Protection's ongoing restrictive view of agency advertising.
FL	N/A	AHCA requiring Medicare certification to provide Medicaid services		HCAOA lobbyist is pushing AHCA for answers
FL	SB 718 (2022)	Expands "Assistance with self-administration of medication" and insulin delegation (Bradley)	To be introduced	
IL	SB 221	Express Authority for Caregivers to Perform Certain Personal Care Services (President Pro Tem Cunningham)	Committee	IDPH had overly restrictive interpretation of scope of caregivers. Legislation led to

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				several meetings and agreement to broaden interpretation that allows for bathing and prescription shampoo.
KS	SB 154	Home Health Agency Licensure	Law effective July 1, 2017; awaiting regulations based on input from industry/HCAOA members	
MA	TBD—2022	Home Care License	The Home Care Licensing Commission Sent Final Report to the Legislature	
MI	TBD	No-fault insurance impact		Lobby day at the Capitol on 11/3/2021 included efforts to address no-fault insurance impact; also discussed licensure
NJ	N/A	Background Check Delays		Background check delays
NY	N/A	Licensure Delays	The moratorium on new LHCSA licenses expired March 2020 but the Department of Health has not been accepting any new applications. There are limited exceptions.	
OH	HB 110 (budget bill)	Nonmedical home health services license requirements (see pages 1174 ff. for licensure provisions)	Approved by Governor; July 1, 2022 deadline for licensure (verify)	Home care license bill passed. HCAOA currently working on regulations with Ohio Council .
OK	SB 42	Expands workforce by allowing non-CNA caregivers to provide personal care (Rader)	Approved by Governor 4/21/2021	The OK Home Care Act already allowed non-CNA caregivers to provide personal care on live-in shifts. This legislation allows for smaller shifts as well. (Caregivers

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				are still trained, supervised, and subject to background checks.)
OR	TBD—2022	Public Registry for In-Home Caregivers		Forthcoming SEIU-sponsored legislation to move IHCA licensure from OHA to DHS and create a public registry
VA	N/A	Various proposed restrictive licensure issues		Worked through with Board of Health
WA	TBD—2022	State Long-Term Care Trust Program	State payroll tax set to take effect on January 1, 2022	Several legislators are working to delay the start of this new program .
WA	N/A	Apprenticeship Pilot Funding Program		