



# Prepare for Revised Home Services Regulations

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June 21, 2022

# Agenda

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**Welcome & Introductions**

Karen Stephenson, Chapter Chair

**Background: How We Got Here**

Adam Guetzow, Hinshaw

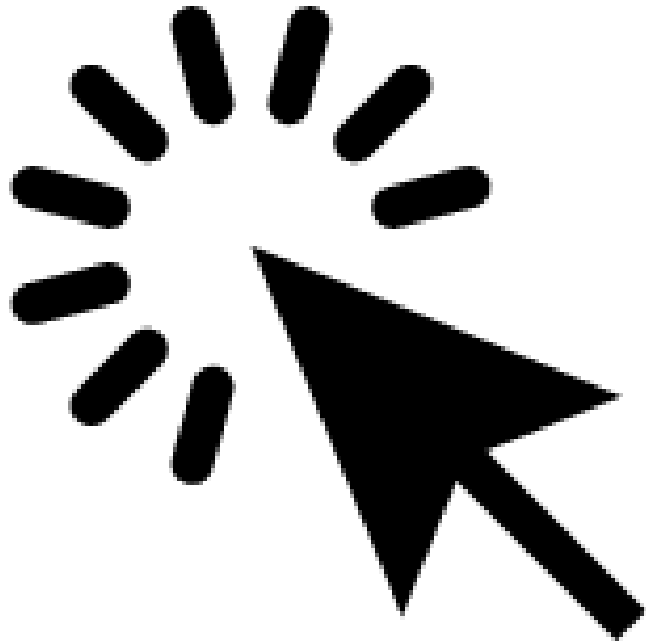
**Regulation Changes  
Training Requirements**

Mike O'Brien and Joan O'Brien,  
Independence-4-Seniors Home Care

**Q&A**

# How We Got Here...





# Importance of Advocacy

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[LINK TO CONTRIBUTE](#)

# Changes to IDPH Regulations

## **Part 245: Home Health, Home Services, And Home Nursing Agency Code**

**Change to take effect: May 31, 2022**

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### **Introduction**

The Home Care Association of America is the industry's leading trade organization representing home care agencies and their suppliers across the country. In this role, the Home Care Association of America strives to provide leadership, representation, and education for the advancement of home care and provide a strong unified voice to speak to the issues of concern within the Home Care industry.

Within the context of this mission, the Home Care Association of America -Illinois, during the past 4 years, took the lead on recent negotiations between stakeholders and the Illinois Department of Public Health ("Department") to effectuate much needed revisions to the existing Administrative Code 245. A primary focus of these recent negotiations with the Department centered upon the need to update and expand the scope of non-medical services permitted to be completed by licensed home service agencies and their home service workers. With a seismic increase in older adults choosing to remain in their home settings longer, these negotiated revisions and agreed upon expanded scope of available services were (and remain) critical to safely address the ongoing needs of this important sector of the population.

## **Changes to IDPH Regulations**

### **Part 245: Home Health, Home Services, And Home Nursing Agency Code**

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Upon reviewing the Second Notice of Revisions for Adm. Code 245, the Home Care Association of America-Illinois provided both objections and comments on the proposed rule to ensure that any final rulemaking stays consistent with the intent behind the revisions of the Code as well as with what was agreed upon during the negotiation sessions between the stakeholders and the Department.

The following are the rules changes that were accepted and finalized by the Department.

# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

Change to take effect: May 31, 2022

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### Section 245.40 Staffing and Staff Responsibilities

#### **(c), (4), (A): Skin Care**

- Current Regulation Language: Does not provide for application of simple bandages
- New Regulation Language: “The home services worker may apply a simple bandage as first aid for a client.
- Training Requirements: Training in first aid. Competency evaluation required.

# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

Change to take effect: May 31, 2022

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### Section 245.40 Staffing and Staff Responsibilities

#### **(c), (4), (B): Ambulation**

- Current Regulation Language: Home Services workers are not included in the prescribed training in the use of adaptive equipment.
- New Regulation Language: “” Once the prescribing individual or the health care provider, responsible for training the client and/or home services worker, is comfortable with releasing the client to work on his or her own with the adaptive equipment, a home services worker may assist with ambulation.”
- Training Requirements: Training in the methods required to assist those clients with adaptive equipment for ambulation, including training by a home health care provider when the adaptive equipment has been recently prescribed. Competency evaluation required.



# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

Change to take effect: May 31, 2022

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### Section 245.40 Staffing and Staff Responsibilities

#### **(c), (4), (C): Bathing**

- Current Regulation Language: Does not specify that at a bed bath or sponge bath is a permitted method of bathing
- New Regulation Language: Expands the definition of bathing to include sponge bath and bed bath in addition to bathing in a tub or shower.
- Training Requirements: Training in the specific method of bathing. Competency evaluation required.

# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

Change to take effect: May 31, 2022

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### Section 245.40 Staffing and Staff Responsibilities

#### **(c), (4), (D): Dressing**

- Current Regulation Language: May not assist with the application of elastic bandage (compression hose, TED hose) which can be purchased only with a health care professional prescription
- New Regulation Language: May apply prescribed bandage if health care professional has issued an order allowing the home services worker to apply the compression device as part of an ADL.
- Training Requirements: Trained in application of compression hose. Competency evaluation required.

# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

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### Section 245.40 Staffing and Staff Responsibilities

#### **(c), (4), (F): Feeding**

- Current Regulation Language: Does not allow for preparation of thickened liquids
- New Regulation Language: Can assist the client by opening and a pre-measured packet and adding to liquids as per client request and direct client observation
- Training Requirements: Trained in indications, precautions, and methods required to use pre-measured thickening products. Competency evaluation required.

# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

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### Section 245.40 Staffing and Staff Responsibilities

#### **(c), (4), (G): Hair Care**

- Current Regulation Language: May not apply prescription shampoo prescribed by a healthcare professional
- New Regulation Language: Hair care may include shampooing with a healthcare professional-prescribed prescription shampoo so long as the prescription shampoo is accompanied by an order indicating a home services worker may apply the shampoo.
- Training Requirements: Trained in observing and reporting open skin lesions to document and report these to the agency and client's emergency contact. Competency evaluation required.

# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

Change to take effect: May 31, 2022

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### Section 245.40 Staffing and Staff Responsibilities

#### **(c), (4), (I): Nail Care**

- Current Regulation Language: May not file nails for clients with a medical condition that may involve peripheral circulatory conditions or loss of sensation
- New Regulation Language: May file nails for clients with a medical condition that may involve peripheral circulatory conditions or loss of sensation only when client's healthcare provider evaluates the client and issues an order allowing filing of nails.
- Training Requirements: Trained in observing and reporting any potential signs of injury or harm for a client with peripheral circulatory conditions. Competency evaluation required.

# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

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### Section 245.40 Staffing and Staff Responsibilities

#### **(c), (4), (J): Positioning**

- Current Regulation Language: May assist with positioning only when client is able to identify, either verbally, non-verbally or through others, when positioning needs to be changed,
- New Regulation Language: Adds care plan criteria to allow home services worker to assist with positioning as instructed by the service plan and per subsection 245.210(d)(2).
- Training Requirements: Trained in methods of proper positioning as well as how to observe and monitor verbal and non-verbal cues from client. Competency evaluation required

# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

Change to take effect: May 31, 2022

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### Section 245.40 Staffing and Staff Responsibilities

#### **(c), (4), (M): Transfers**

- Current Regulation Language: 1) Home Services workers can assist in transfers only when the client has sufficient balance and strength to reliably stand and pivot and assist with the transfer to some extent. 2) Use of adaptive equipment only when client is fully trained in the use of the equipment and can direct the transfer step-by-step.
- New Regulation Language: 1) Expands the “to some extent” language to specify that the client can assist with the transfer either directly or indirectly or by providing ongoing feedback, including indications of potential harm or discomfort, to the home services worker through either verbal or non-verbal indications and cues. 2) Specifies that the home services worker can be trained in the use of adaptive and safety equipment that are used in transfers (i.e. train the trainer) and that the client can assist with the transfer either directly or indirectly or by providing ongoing feedback, including indications of potential harm or discomfort, to the home services worker through either verbal or non-verbal indications and cue.
- Training Requirements: Training in the use of mechanical or electrical transfer devices. Competency evaluation required

# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

Change to take effect: May 31, 2022

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### Section 245.40 Staffing and Staff Responsibilities

#### **(c), (4), (O): Respiratory Care**

- Current Regulation Language: Does not address changing oxygen delivery system from stationary to portable and vice versa.
- New Regulation Language: May assist client with changing oxygen delivery system from a stationary to a portable system when transporting a client outside the home or in situations where there is a loss of electrical power, as directed by the prescribing health care practitioner.
- Training Requirements: Training in changing oxygen delivery systems and risks associated with improper reestablishment of prescribed flow rate. Competency evaluation required



**Changes to IDPH Regulations**  
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**Section 245.71 Qualifications and Requirements for Home Services Workers**

**(c): Training Requirements**

- Current Regulation Language: Initial employment requires (8) hours, (4) hours prior to job placement and (4) hours within first 30 days of employment. Ongoing training of (8) hours annually for all home services workers.
- New Regulation Language: Initial employment requires (10) hours, (5) hours prior to job placement and (5) hours within first 30 days of employment. Total hours in ongoing annual training requirement was not addressed in the changes.
- Training Requirements: Additional training content related to changes in Section 245.40 are referenced in 245.71 (e)(5)

# Changes to IDPH Regulations

## Part 245: Home Health, Home Services, And Home Nursing Agency Code

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### Section 245.210 Services – Home Services Agencies

#### **(d)(2): Acceptance of Clients**

- Current Regulation Language: No provision for acceptance of clients who require complete repositioning.
- New Regulation Language: May accept clients who require complete repositioning as instructed by the service plan and when the client is unable to identify, either verbally, non-verbally, or through others, when the position needs to be changed.
- Training Requirements: Training as specified in 245.210 (d)(2)

# ***Illinois Register***

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[https://www.ilsos.gov/departments/index/register/volume46/register\\_volume46\\_issue\\_25.pdf](https://www.ilsos.gov/departments/index/register/volume46/register_volume46_issue_25.pdf)

**Pages 10410-10459**

\* sending PDF as follow up

# What's Next

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Updated Policies;

Updated Client Services Contracts;

Updated initial training.



# Q&A

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# Chapter Meeting

## July 19 • Naperville

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[Link to Register](#)

# 2022 of the Year Award

**NOMINATIONS DUE JULY 15**

