

Kansas Administrative Regulations

Department of Health and Environment

Article 51.—Home Health Agency Licensure

28-51-118. HCBS.

(a) Admission criteria. Each person that applies to provide HCBS shall have written policies and procedures that address admission criteria consistent with the requirements of this regulation.

(b) Scope of practice and training. Each licensee providing HCBS shall have written policies and procedures describing the appropriate scope of practice for each HCBS worker consistent with state regulations and federal regulations and guidelines for HCBS and the training required for each HCBS worker to provide the necessary HCBS to a patient.

(c) Competency. Each licensee providing HCBS shall ensure that each HCBS worker providing personal care demonstrates competency before providing HCBS to a patient without a supervisor being present and shall reevaluate each worker providing personal care on an annual basis in the following subject areas:

(1) Communication skills, with special focus on communicating with patients with a hearing deficit, dementia, or other special needs;

(2) observation, reporting, and documentation of patient status and the type of HCBS provided;

(3) basic infection control procedures;

(4) basic elements of body functioning and changes in body function or vital signs that shall be reported to the HCBS worker's supervisor;

(5) maintenance of a clean, safe, and healthy environment;

(6) recognizing emergencies and knowledge of the home health agency's emergency procedures;

(7) respecting the patient and the patient's privacy and property;

(8) knowledge of the patient's bill of rights specified in K.A.R. 28-51-111;

(9) appropriate and safe techniques in personal hygiene and grooming; and

(10) appropriate use of any equipment needed for the provision of HCBS.

(d) Ongoing training. Each home health agency shall provide ongoing training to each HCBS worker. Training requirements and annual competencies shall be consistent with the HCBS that the licensee provides and shall be appropriate to the needs of the patients served. Successful completion of the training and annual competencies shall be documented in a training record for each HCBS worker.

(e) Supervision of HCBS workers. Each licensee providing HCBS shall ensure supervision of each HCBS worker as follows:

(1) Employ a supervisor for each HCBS worker who is available for questions at all times;

(2) provide on-site supervision of each HCBS worker at least every three months, including an assessment of client satisfaction of the HCBS provided and the HCBS worker's adherence to the plan of care; and

(3) evaluate each HCBS worker providing HCBS by the HCBS worker's supervisor during an on-site observation of each HCBS worker while providing HCBS at least every three months, including the following:

(A) Tasks performed;

(B) relationships with patients; and

(C) the HCBS worker's adherence to the patient's plan of care.

(Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5104; effective May 20, 2022.)

***** Authenticated Kansas Administrative Regulation *****