

Kansas Administrative Regulations

Department of Health and Environment

Article 51.—Home Health Agency Licensure

28-51-113. Home health aide qualifications.

(a) Each home health aide candidate shall be a Kansas-certified nurse aide in good standing on the public nurse aide registry and complete a 20-hour home health aide course approved by the department.

(b) Upon completing a home health aide course as specified in subsection (a), each home health aide shall be required to pass a state test as specified in K.A.R. 28-51-116.

(c) Each individual who completes the requirements specified in subsections (a) and (b) shall be certified by the department and shall be listed on the public nurse aide registry.

(d)(1) Each home health aide trainee shall be allowed to provide home health services to patients of the home health agency under the supervision of a registered nurse.

(2) Each home health aide trainee who completes an approved 20-hour course shall be certified by the department, upon completion of the requirements specified in subsections (a) and (b), within 90 days from the beginning date of the initial course in order to continue employment providing home health services. Home health aide trainee status shall be for one 90-day period only.

(3) Any Kansas-certified nurse aide who is eligible for employment and who is enrolled in a 20-hour home health aide course may work for a home health agency as a home health aide trainee. The home health agency's registered nurse shall retain in the home health aide trainee's personnel file a form approved by the department attesting that the home health aide trainee has met the minimum competencies for a home health aide trainee.

(e) Each 20-hour home health aide course shall be administered according to the following criteria:

(1) Any home health aide issued a nurse aide certificate by the department or enrolled in a 90-hour nurse aide course as specified in K.A.R. 28-39-165 may enroll in a 20-hour home health aide course after being prescreened and tested for reading comprehension at an eighth-grade level.

(2) Each 20-hour home health aide course shall be sponsored by one of the following:

(A) A home health agency;

(B) a postsecondary school under the jurisdiction of the state board of regents; or

(C) a postsecondary school accredited by the north central association of colleges and schools.

(3) A licensee shall not sponsor or provide clinical instruction for a 20-hour home health aide course if that licensee meets any of the conditions listed in 42 C.F.R. 484.36(a)(2)(i), as in effect on October 1, 2011, which is hereby adopted by reference.

(4) Each 20-hour course shall be prepared and administered in accordance with the guidelines established by the department in the "Kansas certified home health aide guidelines (20 hours)," dated September 29, 2021, and the "Kansas home health aide sponsor and instructor manual," dated July 26, 2021, which are hereby adopted by reference.

(f) No correspondence course shall be accepted as a 20-hour home health aide course.

(g) Distance-learning educational offerings and computer-based educational offerings shall meet the requirements specified in subsection (e).

(Authorized by K.S.A. 65-5109; implementing K.S.A. 65-5115; effective Dec. 29, 2003; amended Oct. 27, 2006; amended May 20, 2022.)

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