



## Advanced Home Health Aides **DOH and SED Announce Proposed Regulations**

Over the past two months, both the New York State Department of Health ([DOH](#)) and the State Education Department ([SED](#)) have published proposed regulations for the new Advanced Home Health Aide (AHHA) designation.

DOH's proposed [regulations](#) state that AHHAs must perform their advanced tasks under the supervision of a registered professional nurse (RN) and complete 18 hours of in-service training annually. Both the AHHA and the RN must work for the same agency. Additionally, patients have the right to accept or reject the provision of services from AHHAs, instead of from RNs. Agencies should note that a patient's practitioner must order AHHA services before they may be provided, and that the agency must obtain DOH approval to add AHHA services to their licenses. Agencies may only use AHHAs who have been listed as qualified in the Home Care Worker Registry.

The SED's [regulations](#) state that potential AHHAs must complete an SED or DOH-approved training program. Admission to a training program requires at least a high school diploma and one year of experience as a home health or personal care aide. An AHHA training program must include at least 80 hours of classroom-based skills training, and 45 hours of RN-supervised practical training (beginning after at least three hours of classroom training have been completed). The curriculum must cover:

1. The assignment of advanced tasks.
2. Working with supervising RNs.
3. Infection control, injections and injection safety.
4. Documentation relating to advanced tasks.
5. Medication administration.
6. Client communication.
7. Preparation for a competency test. Potential AHHAs must pass the competency test under RN-supervision to complete the program.

SED also stated that RNs cannot assign advanced tasks to an AHHA unless:

1. The patient to be served is stable.
2. The task is consistent with ordered or prescribed care by a physician, nurse practitioner or prescriber.
3. The patient or patient's authorized representative consents to the AHHA performing such tasks.
4. The agency has written policies and procedures governing the provision of advanced tasks.

5. The AHHA has demonstrated to the RN's satisfaction that he/she can perform the advanced task(s) to be assigned.
6. The AHHA consents to perform and document the performance of advanced task(s).
7. The AHHA can communicate effectively with the patient to understand his/her needs.

SED's regulations have been adopted on an emergency basis, effective June 12, 2018, and SED said it expects them to be made permanent as of October 3, 2018.

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